

FEDERAL BUREAU OF INVESTIGATION
FOI/PA
DELETED PAGE INFORMATION SHEET
FOI/PA# 1177164-0

Total Deleted Page(s) = 39

Page 33 ~ Duplicate - to 174A-SF-90788 serial 92 [FDPS page 32];
Page 38 ~ Duplicate - to 174A-SF-90788 serial 96 [FDPS page 36];
Page 40 ~ Duplicate - to 174A-SF-90788 serial 99 [FDPS page 39];
Page 42 ~ Duplicate - to 174A-SF-90788 serial 101 [FDPS page 41];
Page 44 ~ Duplicate - to 174A-SF-90788 serial 90 [FDPS pages 29-30];
Page 45 ~ Duplicate - to 174A-SF-90788 serial 90 [FDPS pages 29-30];
Page 53 ~ Duplicate - to 174A-SF-90788 serial 106 [FDPS page 51];
Page 72 ~ b6; b7C; b7E;
Page 216 ~ b6; b7C; b7E;
Page 238 ~ b6; b7C; b7E;
Page 333 ~ b3; b6; b7C;
Page 337 ~ b3; b6; b7C;
Page 338 ~ b3; b6; b7C;
Page 339 ~ b3; b6; b7C;
Page 340 ~ b3; b6; b7C;
Page 341 ~ b3; b6; b7C;
Page 342 ~ b3; b6; b7C;
Page 343 ~ b3; b6; b7C;
Page 344 ~ b3; b6; b7C;
Page 345 ~ b3; b6; b7C;
Page 346 ~ b3; b6; b7C;
Page 347 ~ b3; b6; b7C;
Page 348 ~ b3; b6; b7C;
Page 349 ~ b3; b6; b7C;
Page 350 ~ b3; b6; b7C;
Page 351 ~ b3; b6; b7C;
Page 352 ~ b3; b6; b7C;
Page 353 ~ b3; b6; b7C;
Page 354 ~ b3; b6; b7C;
Page 355 ~ b3; b6; b7C;
Page 356 ~ b3; b6; b7C;
Page 357 ~ b3; b6; b7C;
Page 358 ~ b3; b6; b7C;
Page 359 ~ b3; b6; b7C;
Page 360 ~ b3; b6; b7C;
Page 361 ~ b3; b6; b7C;
Page 362 ~ b3; b6; b7C;
Page 363 ~ b3; b6; b7C;
Page 364 ~ b3; b6; b7C;

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X Deleted Page(s) X
X No Duplication Fee X
X For this Page X
XXXXXXXXXXXXXXXXXXXXXXXXXXXXX

174A-SF-90788
CASE AGENT

b6
b7C

SUB A - EXHIBITS
SUB B - BULKIES
SUB C - NEWSCLIPPINGS
SUB D - LAB REPORTS
SUB E - PHOTOS
SUB F - INTERVIEW NOTES
SUB G - FD-302'S (CRIME SCENE)
SUB H - FD-302'S (INTERVIEWS)
SUB I - INSERTS
SUB J - SUBPOENAS

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 11/6/91 BY SP-5 CJS/SH
CA # 91-1057 EFL

FBI

TRANSMIT VIA:

☒ Teletype
☐ Facsimile
☐ _____

PRECEDENCE:

☐ Immediate
☐ Priority
☒ Routine

CLASSIFICATION:

☐ TOP SECRET
☐ SECRET
☐ CONFIDENTIAL
☐ UNCLAS E F T O
☒ UNCLAS

Date 11/23/90

1 FM FBI SAN FRANCISCO (174A-SF-90788) (P) (SQD 13)

2 TO DIRECTOR FBI/ROUTINE/

3 BT

4 UNCLAS

5 CITE: //3790//

6 PASS: HQ FOR SSA

7
 8 SUBJECT: UNSUBS; JUDITH BEATRICE BARI - VICTIM; DARRYL REED
 9 CHERNEY - VICTIM; BOMBING OF 1981 SUBARU STATION WAGON,
 10 CALIFORNIA LICENSE 2NWX290, OAKLAND, CALIFORNIA, MAY 24, 1990;
 11 EID; OO: SAN FRANCISCO.

12 REFERENCE WEEKLY SUMMARY.

13 SAN FRANCISCO IS PRESENTLY SEEKING TOLL RECORDS AND
 14 SUBSCRIBERS TO PERSON SUSPECTED AS BEING INVOLVED IN CRIMINAL
 15 ACTIVITY ASSOCIATED WITH RADICAL ENVIRONMENTAL ISSUES.

16 SAN FRANCISCO IS IN THE PROCESS OF HAVING THE "LORD'S

17 FILTER # DLDO01SO.32718 LOG # 432 ISN 419 JULIAN DATE 32820 ACCEPTANCE TIME 1806 INITIALS My

ALL INFORMATION CONTAINED
 HEREIN IS UNCLASSIFIED
 DATE 11/6/91 BY SP-5 CIB/

b6
b7CApproved: RW411

Transmitted _____

(Number)

Per _____

(Time)

Searched _____

FBI/DOJ

86

174A-SF-90788-159

DLDO01D.327

FBI

TRANSMIT VIA:

☐ Teletype
☐ Facsimile
☐ _____

PRECEDENCE:

☐ Immediate
☐ Priority
☐ Routine

CLASSIFICATION:

☐ TOP SECRET
☐ SECRET
☐ CONFIDENTIAL
☐ UNCLAS E F T O
☐ UNCLAS

Date _____

1 AVENGER" LETTER SEARCHED BY THE ANONYMOUS LETTER FILE AT FBIHQ
2 AND HAVING VOLUMINOUS AMOUNTS OF PHOTOCOPIED MATERIAL PERUSED BY
3 THE BEHAVIORAL SCIENCE UNIT, QUANTICO FOR SOCIAL ANALYSIS.

4 INVESTIGATION CONTINUING.

5 BT
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17
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21

Approved: _____ Transmitted _____ Per _____
(Number) (Time)

Memorandum



To : SAC, SAN FRANCISCO, (174A-SF-90788)(P)

Date 11-23-90

From : SA [REDACTED]

b6
b7C

Subject : UNSUBS:
JUDITH BEATRICE BARI - VICTIM;
DARRYL REED CHERNEY- VICTIM
BOMBING OF 1981 SUBARU STATIONWAGON
CA LIC 2NWX290
OAKLAND, CA
5/24/90
EID
OO : SAN FRANCISCO

On 11/20/90, a Grand Jury Subpoena was served at [REDACTED]

[REDACTED] (see attached).

b3

A similar subpoena will be served for records held by the [REDACTED] Subpoena issuance set forth in airtel to Sacramento Division.

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 11/16/91 BY SF-rci/btk

(4)

WRH

② - 174A-SF-90788
2 - 174A-SF-90839

174-SF-90788-105

87

United States District Court

NORTHERN

DISTRICT OF

CALIFORNIA

TO:

[Redacted]

SUBPOENA TO TESTIFY BEFORE GRAND JURY

b3
b6
b7c

SUBPOENA FOR:

☐ PERSON

☒ DOCUMENT(S) OR OBJECT(S)

YOU ARE HEREBY COMMANDED to appear and testify before the Grand Jury of the United States District Court at the place, date, and time specified below.

PLACE

United States District Court
Federal Building
450 Golden Gate Avenue
San Francisco, CA 94102

COURTROOM

Grand Jury Room 17201
17th Floor

DATE AND TIME

November 30, 1990
9:30 a.m.

YOU ARE ALSO COMMANDED to bring with you the following document(s) or object(s):*

[Redacted]

See Appendix A.

b3

Also see Appendix B2 attached hereto and incorporated herein.

VOLUNTARY COMPLIANCE WITH THIS SUBPOENA WILL BE DEEMED SATISFACTORY WHEN YOU PROVIDE THE REQUESTED MATERIALS TO THE AGENT SERVING THIS SUBPOENA AND NO APPEARANCE WILL BE NECESSARY.

☐ Please see additional information on reverse

This subpoena shall remain in effect until you are granted leave to depart by the court or by an officer acting on behalf of the court.

CLERK

RICHARD W. WIEKING

(BY) DEPUTY CLERK

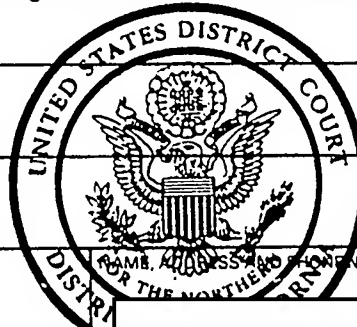
[Signature]

DATE

November 13, 1990

This subpoena is issued on application
of the United States of America

WILLIAM T. MCGIVERN, JR.
United States Attorney

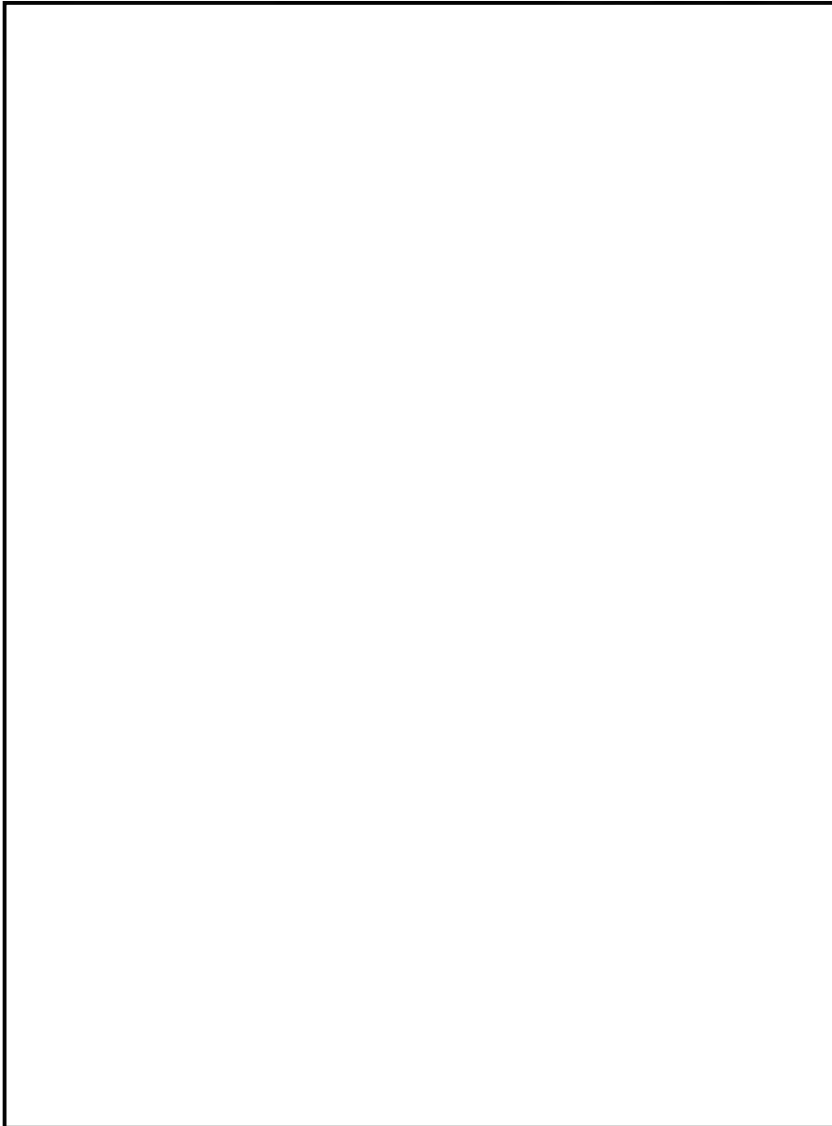


NAME, ADDRESS AND PHONE NUMBER OF ASSISTANT U.S. ATTORNEY

AUSA
450 Golden Gate Avenue, Box 36055
San Francisco, CA 94102
Telephone: [Redacted]

b6
b7c

APPENDIX A



b3
b6
b7C

APPENDIX B2

Pursuant to an investigation by the Federal Grand Jury of the Northern District of California into a suspected felony, it is requested that your company furnish all records requested pertaining to [REDACTED] in Appendix A.

b3

In addition, we request that you not disclose the existence of this request indefinitely from the date of this request. Any such disclosure could impede the investigation being conducted and thereby interfere with the enforcement of the law. Thank you very much for your assistance in this matter.

WILLIAM T. MCGIVERN, JR.
United States Attorney



Assistant United States Attorney
Chief, Criminal Division

b6
b7C

United States District Court

NORTHERN

DISTRICT OF

CALIFORNIA

TO:

[Redacted]

SUBPOENA TO TESTIFY
BEFORE GRAND JURY

b3
b6
b7C

☐ PERSON

☒ DOCUMENT(S) OR OBJECT(S)

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Grand Jury Room 17201
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9:30 a.m.

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[Redacted]

b3

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This subpoena shall remain in effect until you are granted leave to depart by the court or by an officer acting on behalf of the court.

CLERK

RICHARD W. WIEKING

(BY) DEPUTY CLERK

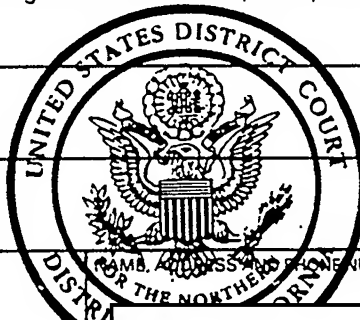
Richard W. Wieking

DATE

November 13, 1990

This subpoena is issued on application
of the United States of America

WILLIAM T. MCGIVERN, JR.
United States Attorney

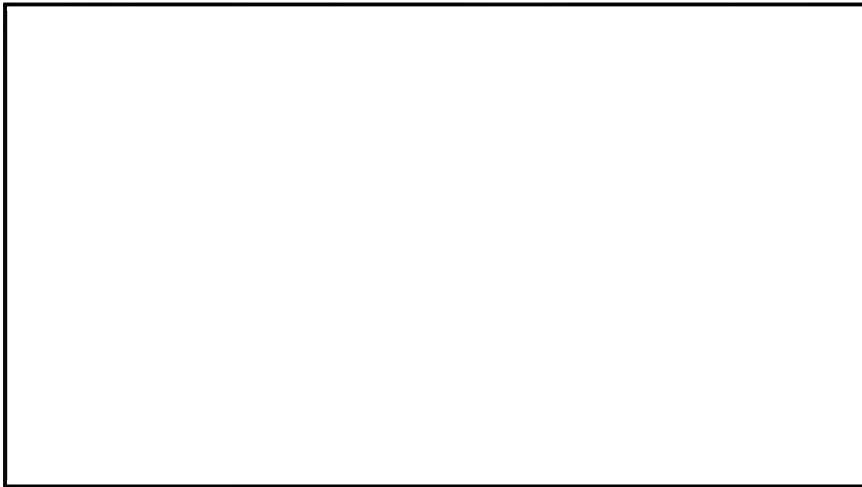


NAME, ADDRESS AND PHONE NUMBER OF ASSISTANT U.S. ATTORNEY

AUSA [Signature]
450 Golden Gate Avenue, Box 36055
San Francisco, CA 94102
Telephone: [Redacted]

b6
b7C

APPENDIX A



b3
b6
b7C

APPENDIX B2

Pursuant to an investigation by the Federal Grand Jury of the Northern District of California into a suspected felony, it is requested that your company furnish all records requested pertaining to [REDACTED] in Appendix A.

b3

In addition, we request that you not disclose the existence of this request indefinitely from the date of this request. Any such disclosure could impede the investigation being conducted and thereby interfere with the enforcement of the law. Thank you very much for your assistance in this matter.

WILLIAM T. MCGIVERN, JR.
United States Attorney



Assistant United States Attorney
Chief, Criminal Division

b6
b7C

FBI

TRANSMIT VIA:

☐ Teletype
☐ Facsimile
☒ AIRTEL

PRECEDENCE:

☐ Immediate
☐ Priority
☐ Routine

CLASSIFICATION:

☐ TOP SECRET
☐ SECRET
☐ CONFIDENTIAL
☐ UNCLAS E F T O
☐ UNCLAS

Date 11/28/90

TO : DIRECTOR, FBI
 (ATTN: SSA [redacted] DS/T)

FROM : SAC, SAN FRANCISCO (174A-SF-90788) (P) (SQ. 13)

SUBJECT: UNSUBS;
 JUDITH BEATRICE BARI - VICTIM;
 DARRYL REED CHERNEY - VICTIM
 BOMBING OF 1981 SUBARU STATION WAGON
 CALIFORNIA LICENSE 2NWX290
 OAKLAND, CALIFORNIA
 5/24/90
 EID
 OO: SAN FRANCISCO

Re San Francisco airtel to Bureau and Sacramento dated 8/16/90.

Enclosed for Sacramento are original and photocopy of Grand Jury Subpoena addressed to [redacted]

LEADSACRAMENTO DIVISION

AT BAKERSFIELD, CALIFORNIA: Sacramento is requested to serve enclosed subpoena and forward results to San Francisco.

ALL INFORMATION CONTAINED
 HEREIN IS UNCLASSIFIED
 DATE 11/5/91 BY SP-5 CIB/MP

[redacted]
 E
 NE
 DATE

2 - Bureau
 2 - Sacramento (Enc. 2)
 2 - San Francisco

WRH/vjd
 (6)

1*

b6
 b7C

b3

b7E

b6
 b7C

Approved: _____ Transmitted _____
 (Number) (Time)

Per _____
 Serialized _____
 Indexed _____
 Filed _____

88
 174A-SF-90788-164

December 3, 1990

[redacted]
Ukiah, California 95482

b6
b7c

Dear [redacted]

Your May 26th letter to President Bush regarding the bombing incident involving Ms. Judi Bari and Mr. Darryl Cherney was referred to FBI Headquarters and received on November 20th.

The FBI and the Oakland, California, Police Department are jointly investigating the incident that involved a bomb that exploded in Ms. Bari's car on May 24th in Oakland. Since this is an ongoing case, it would be inappropriate for me to comment about any specific aspects of this case.

Sincerely yours,

Nicholas V. O'Hara
Deputy Assistant Director
Criminal Investigative Division

① - San Francisco - Enclosure

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 11/5/91 BY SP-5 CIP/MS

SEARCHED	CEI	FOIMS
SERIALIZED	SEARCHED	INDEXED
DEC - 7 1990		
FBI - SAN FRANCISCO		

174A-SF-90488-176


Ukiah CA 95482

President George Bush
1600 Penn Ave
Washington DC 20500

Dear President Bush;

I am personally disgusted with the way the case of Judi Bari and Darryl Cherney has been handled to this point. I live and work in Ukiah, and am convinced that neither of them knew that they carried a bomb in their car when it exploded.

Since Judi and Darryl were on a tour committed to non-violence, and were requiring a non-violent promise from anyone wishing to be involved in the upcoming protests, I see no viable reason for their need to carry explosives. It flies in the face of logic. They would have nothing to gain, popular support to lose with any such a connection.

On the other hand, for the general population to perceive that they were involved with explosives would greatly hurt their cause. And I personally am convinced that a frame-up is what we're witnessing. It takes neither a conspiracy of all the police agencies in the state nor great intelligence to frame someone, especially when that someone is not popular. If I wanted to discredit EarthFirst!, Judi, Darryl, or anyone else involved in the environmental movement for that matter, I would set up something such as the event that we all witnessed this week.

I can see how difficult it would be to have local police questioning local potential perpetrators of this act, but it seems to me that this is exactly what has to happen. While to suspect someone else means a lot of extra work, that is exactly what justice demands.

I am further appalled that Judi is not being permitted visitors at the hospital during this time of great personal need. Is there some fear that she will get up and run away? That someone will smuggle in a suicide pill? How about some common human compassion? Any guard can just as easily be in the room with Judi and a visitor as outside the door. She has at this point been convicted of no crime, and is no criminal. What is sure is that she is a seriously injured human being.

Please take a stand on this issue, not for personal gain nor in anticipation of a groundswell of political support, but because it is the right thing to do.

Sincerely,

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 11/5/91 BY SP-5 ci/ATF

b6
b7c

Memorandum



To : SAC, SAN FRANCISCO (174A-SF-90783) (P) Date 12/4/90

From : SA [redacted] SQ 13)

b6
b7C

Subject: UNSUBS;
BOMBING OF JUDI BARI'S VEHICLE,
OAKLAND, CALIFORNIA
5/24/90
OO: SAN FRANCISCO

[redacted] For the information of the file, on 11/14/90, [redacted] (protect by request), of [redacted] California, with telephone number [redacted], contact SA [redacted] advising that he learned through an unnamed acquaintance that one [redacted] (phonetic) of [redacted] California, telephone number [redacted] has evidence to include a video regarding the bombing of JUDI BARI's vehicle. [redacted] added that this unnamed individual had told him that [redacted] who was apprehensive of law enforcement, did not know what to do with this information.

b6
b7C
b7D

[redacted] stated that he called [redacted] whom he had had [redacted] with a number of years ago, and [redacted] himself, telling [redacted] that he would be willing to broker contact between [redacted] and the FBI so that [redacted] could relay the information he had regarding the bombing of JUDI BARI's car.

b6
b7C
b7D

[redacted] stated further that in contacting [redacted] [redacted] learned that [redacted] had met an individual (not identified), who claims to have been approached by First Name Unknown (FNU) [redacted] According to this unknown individual, FNU [redacted] was looking for someone to bomb JUDI BARI. This individual declined FNU [redacted] offer, with the indication being that maybe someone else accepted the deal.

b6
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b7D

[redacted] commented that he is of the understanding that FNU [redacted] was the [redacted] which was "torched" approximately one year ago.

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b7D

On 11/14/90, SA [redacted] contacted [redacted] (protect identity by request) at telephone number [redacted] advising

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b7D

SEARCHED	INDEXED
SERIALIZED	FILED
DEC 11 1990	
FBI - SAN FRANCISCO	

② - San Francisco
SMB/ees
(2)

ALL INFORMATION CONTAINED

HEREIN IS UNCLASSIFIED

DATE 11/15/01 BY SP-5 cjb

90
174A-SF-90788-172

174A-SF-90783
SMB/ees

[] that SA [] had just spoken with [] and that the FBI was anxious to meet with [] to review any information he had that he felt was germane to the investigation regarding the bombing of BARI's vehicle.

b6
b7C
b7D

[] who was somewhat reluctant to discuss the information over the telephone, indicated that he had two videos which would supply motive for the bombing, and indicated that there was someone (not identified) who he felt had direct information linking the motive to the bombing of BARI's vehicle.

b6
b7C
b7D

SA [] tried to elicit from [] confirmation of [] comment that an individual had been approached by FNU [] but [] was reluctant to specify the nature and specifics of this information.

b6
b7C
b7D

SA [] and [] agreed, unless otherwise conflicted, to meet at [] house on Monday, 11/26/90, at 12:00 noon, to discuss the information [] possesses and review the videos in his possession.

b6
b7C
b7D

LEAD:

SAN FRANCISCO DIVISION

AT REDWOOD VALLEY, CALIFORNIA

Will meet with [] and [] regarding the information mentioned above.

b6
b7C
b7D

0-4 (Rev. 8-11-88)
FEDERAL BUREAU OF INVESTIGATION
WASHINGTON, D. C. 20535

DATE: December, 4, 1990
TO: SAC< San Francisco

Re:

UNSUB (S);
JUDITH BARI - VICT
DARYL REED CHERNEY - VICT
BOMBING OF 1981 SUBURU
OAKLAND, CALIF
5/24/90
EID

Invoice of Contents

Description Contents:

32 ORIGINAL PAPER BAGS.
(WITH LABELS).

FBI File# 174-10707

Case# ~~XXXXXXXXXX~~
00601005 S YR

Shipping#

SHIPPING METHODS

Air Freight and Express Services

- ☐ Overnight
☐ 2-Day Standard Service
☐ Saturday Delivery
☐ Economy (2-3 Days Service)
☐ Deferred (4-5 Days Service)

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 11/8/91 BY SP-5 CIB/MP

Your# 174A-SF-90788

☒ Return to [REDACTED] b6
b7C

Room 3918 TL 241

Ext. X2696

☐ Mail Room: 1B327, TL 152

(registered mail)

☐ FMSS - Supply Room, 1B353

(not registered)

Hazardous Materials Only

Weight of Hazardous Materials:

Packaged By _____
Signature

Date _____

All items listed above are contained in this package.

A detailed description items will be found in Bureau communication dated _____

(SHIPPING HOURS - 9:00 A.M. TO 4:00 P.M.)

SEARCHED	INDEXED
SERIALIZED	FILED
DEC 16 1990	
FBI - SAN FRANCISCO	

PR

174A-SF-90788-91

0-4 (Rev. 8-11-88)
FEDERAL BUREAU OF INVESTIGATION
WASHINGTON, D. C. 20535

DATE: December, 4, 1990
TO: SAC< San Francisco

Re:

UNSUB (S);
JUDITH BARI - VICT
DARYL REED CHERNEY - VICT
BOMBING OF 1981 SUBURU
OAKLAND, CALIF
5/24/90
EID

Invoice of Contents

Description Contents:

EVIDENCE : Inside Box
From: Q170 To Q249

Q's 180, 200, 224 + 243.
Are Not Inside Box.

Shipping#

SHIPPING METHODS

Air Freight and Express Services

- ☐ Overnight
☐ 2-Day Standard Service
☐ Saturday Delivery
☐ Economy (2-3 Days Service)
☐ Deferred (4-5 Days Service)

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 11/15/91 BY SP-5C/bax

FBI File# 174-10707

Case# ~~00601005~~
00601005 S YR

Your# 174A-SF-00788

☒ Return to b6
b7C

Room 3918 TL 241

Ext. 2696

☐ Mail Room: 1B327, TL 152

(registered mail)

☐ FMSS - Supply Room, 1B353

(not registered)

Hazardous Materials Only

Weight of Hazardous Materials:

Packaged By
Signature

Date

All items listed above are contained in this package.

A detailed description items will be found in Bureau communication dated

SEARCHED	INDEXED
SERIALIZED	FILED
DEC 16 1990	
FBI - SAN FRANCISCO	

(SHIPPING HOURS - 9:00 A.M. TO 4:00 P.M.)

174A-SF-90788-92

0-4 (Rev. 8-11-88)
FEDERAL BUREAU OF INVESTIGATION
WASHINGTON, D. C. 20535

DATE: December, 4, 1990
TO: SAC< San Francisco

Re:

UNSUB (S);
JUDITH BARI - VICT
DARYL REED CHERNEY - VICT
BOMBING OF 1981 SUBURU
OAKLAND, CALIF
5/24/90
EID

Invoice of Contents

Description Contents:

EVIDENCE: INSIDE BOX
FROM: Q 90 TO Q 169 + VACUUM
BAG.
Q'S 119, 134, 149 + 160 ARE NOT
INSIDE BOX.

FBI File# 174-10707

Case# 00601005 S YR

Shipping#

SHIPPING METHODS

Air Freight and Express Services

- ☐ Overnight
☐ 2-Day Standard Service
☐ Saturday Delivery
☐ Economy (2-3 Days Service)
☐ Deferred (4-5 Days Service)

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 4/5/91 BY SP-SC/DNF

Your# 174A-SF-90788

☒ Return to [REDACTED] b6 b7C

Room 3918 TL 241

Ext. 2696

☐ Mail Room: 1B327, TL 152

(registered mail)

☐ FMSS - Supply Room, 1B353

(not registered)

Hazardous Materials Only

Weight of Hazardous Materials:

Packaged By
Signature

Date

All items listed above are contained in this package.

A detailed description items will be found in Bureau communication dated

(SHIPPING HOURS - 9:00 A.M. TO 4:00 P.M.)

SEARCHED	INDEXED
SERIALIZED	FILED
DEC 16 1990	
FBI - SAN FRANCISCO	

174A-SF-90788-94

0-4 (Rev. 8-11-88)
FEDERAL BUREAU OF INVESTIGATION
WASHINGTON, D. C. 20535

DATE: December, 4, 1990
TO: SAC< San Francisco

Re:

UNSUB (S);
JUDITH BARI - VICT
DARYL REED CHERNEY - VICT
BOMBING OF 1981 SUBURU
OAKLAND, CALIF
5/24/90
EID

Description Contents:

32 ORIGINAL PAPER BAGS.
(WITH LABELS).

Invoice of Contents

FBI File# 174-10707

Case# ~~00601005~~
00601005 S YR

Shipping#

SHIPPING METHODS

Air Freight and Express Services

- ☐ Overnight
☐ 2-Day Standard Service
☐ Saturday Delivery
☐ Economy (2-3 Days Service)
☐ Deferred (4-5 Days Service)

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 11/5/91 BY SP-5 C. DAF

Your# 174A-SF-90788



Return to

b6

b7C

Room

3918

TL

241

Ext.

X 2696



Mail Room: 1B327, TL 152

(registered mail)



FMSS - Supply Room, 1B353

(not registered)

Hazardous Materials Only

Weight of Hazardous Materials:

Packaged By

Signature

Date

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(SHIPPING HOURS - 9:00 A.M. TO 4:00 P.M.)

SEARCHED	INDEXED
SERIALIZED	FILED
DEC 16 1990	
FBI - SAN FRANCISCO	

174A-SF-90788-95

0-4 (Rev. 8-11-88)
FEDERAL BUREAU OF INVESTIGATION
WASHINGTON, D. C. 20535

DATE: December, 4, 1990
TO: SAC< San Francisco

Re:

UNSUB (S);
JUDITH BARI - VICT
DARYL REED CHERNEY - VICT
BOMBING OF 1981 SUBURU
OAKLAND, CALIF
5/24/90
EID

Description Contents:

Q330 CAR SEAT.
(EVIDENCE)

Invoice of Contents

FBI File# 174-10707

Case# 00601005 S YR

Your# 174A-SF-90788

☒ Return to [REDACTED] b6 b7C

Room 3918 TL 241

Ext. 2696

☐ Mail Room: 1B327, TL 152

(registered mail)

☐ FMSS - Supply Room, 1B353

(not registered)

Shipping#

SHIPPING METHODS

Air Freight and Express Services

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☐ 2-Day Standard Service
☐ Saturday Delivery
☐ Economy (2-3 Days Service)
☐ Deferred (4-5 Days Service)

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 11/5/91 BY SP-5 CIP/HF

Hazardous Materials Only

Weight of Hazardous Materials:

Packaged By
Signature

Date

All items listed above are contained in this package.

A detailed description items will be found in Bureau communication dated

(SHIPPING HOURS - 9:00 A.M. TO 4:00 P.M.)

SEARCHED	INDEXED
SERIALIZED	FILED
DEC 16 1990	
FBI - SAN FRANCISCO	

174A-SF-90788-96

0-4 (Rev. 8-11-88)
FEDERAL BUREAU OF INVESTIGATION
WASHINGTON, D. C. 20535

DATE: December, 4, 1990
TO: SAC< San Francisco

Re:

UNSUB (S);
JUDITH BARI - VICT
DARYL REED CHERNEY - VICT
BOMBING OF 1981 SUBURU
OAKLAND, CALIF
5/24/90
EID

Invoice of Contents

Description Contents:

EVIDENCE: Q329 (GUITAR CASE).

FBI File# 174-10707

Case# 00601005 S YR

Shipping#

SHIPPING METHODS

Air Freight and Express Services

- ☐ Overnight
☐ 2-Day Standard Service
☐ Saturday Delivery
☐ Economy (2-3 Days Service)
☐ Deferred (4-5 Days Service)

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 11/5/91 BY SP-5C/BK

Your# 174A-SF-90788

☒ Return to b6 b7C

Room 3918 TL 241

Ext. 2696

☐ Mail Room: 1B327, TL 152

(registered mail)

☐ FMSS - Supply Room, 1B353

(not registered)

Hazardous Materials Only

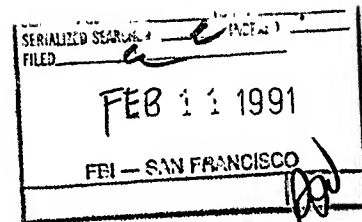
Weight of Hazardous Materials:

Packaged By Signature

Date

All items listed above are contained in this package.

A detailed description items will be found in Bureau communication dated



(SHIPPING HOURS - 9:00 A.M. TO 4:00 P.M.)

174A-SF-90788-97

0-4 (Rev. 8-11-88)
FEDERAL BUREAU OF INVESTIGATION
WASHINGTON, D. C. 20535

DATE: December, 4, 1990
TO: SAC< San Francisco

Re:

UNSUB (S);
JUDITH BARI - VICT
DARYL REED CHERNEY - VICT
BOMBING OF 1981 SUBURU
OAKLAND, CALIF
5/24/90
EID

Invoice of Contents

Description Contents:

EVIDENCE: INSIDE BOX
FROM: Q250 TO Q330.

Q259 AND Q329 ARE NOT
INSIDE BOX.

Shipping#

SHIPPING METHODS

Air Freight and Express Services

- ☐ Overnight
☐ 2-Day Standard Service
☐ Saturday Delivery
☐ Economy (2-3 Days Service)
☐ Deferred (4-5 Days Service)

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 4/5/91 BY SP-5 CIP/MT

FBI File# 174-10707

Case# 00601005 S YR

Your# 174A-SF-90788



Return to

Room

3918

TL

241

Ext.

2696



Mail Room: 1B327, TL 152

(registered mail)



FMSS - Supply Room, 1B353

(not registered)

Hazardous Materials Only

Weight of Hazardous Materials:

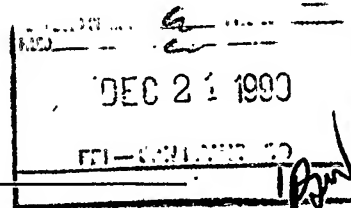
Packaged By

Signature

Date

All items listed above are contained in this package.

A detailed description items will be found in Bureau communication dated



(SHIPPING HOURS - 9:00 A.M. TO 4:00 P.M.)

0-4 (Rev. 8-11-88)
FEDERAL BUREAU OF INVESTIGATION
WASHINGTON, D. C. 20535

DATE: December, 4, 1990
TO: SAC< San Francisco

Re:

UNSUB (S);
JUDITH BARI - VICT
DARYL REED CHERNEY - VICT
BOMBING OF 1981 SUBURU
OAKLAND, CALIF
5/24/90
EID

Invoice of Contents

Description Contents:

EVIDENCE : INSIDE BOX

From: Q 20 TO Q 89

Q's 23, 51, 52, 53, 55, 56, 59, 60, 62, 63,
64, 67, 72, 75, 79, 81, 82, 83, 84, 85,
86, 87, 89 ARE NOT INSIDE BOX.

Shipping#

SHIPPING METHODS

Air Freight and Express Services

- ☐ Overnight
☐ 2-Day Standard Service
☐ Saturday Delivery
☐ Economy (2-3 Days Service)
☐ Deferred (4-5 Days Service)

(See 1B3)

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 11/5/91 BY SP-5CJ/bte

FBI File# 174-10707

Case# ~~0043500000000000~~
00601005 S YR

Your# 174A-SF-90788

☒ Return to [Redacted] b6 b7C

Room 3918 TL 241

Ext. 2696

☐ Mail Room: 1B327, TL 152

(registered mail)

☐ FMSS - Supply Room, 1B353

(not registered)

Hazardous Materials Only

Weight of Hazardous Materials:

Packaged By _____
Signature

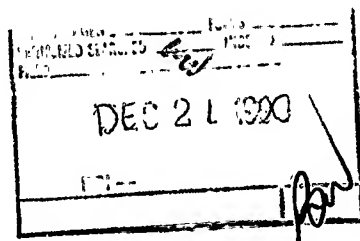
Date _____

All items listed above are contained in this package.

A detailed description items will be found in Bureau communication dated _____

Rec'd 12/21/90.
VIA # R713327353.

(SHIPPING HOURS - 9:00 A.M. TO 4:00 P.M.)



174A-SF-90788-101

0-4 (Rev. 8-11-88)
FEDERAL BUREAU OF INVESTIGATION
WASHINGTON, D. C. 20535

DATE: December, 4, 1990
TO: SAC< San Francisco

Re:

UNSUB (S);
JUDITH BARI - VICT
DARYL REED CHERNEY - VICT
BOMBING OF 1981 SUBURU
OAKLAND, CALIF
5/24/90
EID

Invoice of Contents

Description Contents:

EVIDENCE: INSIDE BOX
FROM: Q 90 TO Q 169 + VACUUM
BAG.
Q'S 119, 134, 149 + 160 ARE NOT
INSIDE BOX.

FBI File# 174-10707

Case# ~~174-10707-10~~
00601005 S YR

Your# 174A-SF-90788

☒ Return to [REDACTED] b6
b7C

Room 3918 TL 241

Ext. 2696

Shipping#

SHIPPING METHODS

Air Freight and Express Services

- ☐ Overnight
☐ 2-Day Standard Service
☐ Saturday Delivery
☐ Economy (2-3 Days Service)
☐ Deferred (4-5 Days Service)

☐ Mail Room: 1B327, TL 152

(registered mail)

☐ FMSS - Supply Room, 1B353

(not registered)

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 11/5/91 BY SP-5 CIP/HT

Hazardous Materials Only

Weight of Hazardous Materials:

Packaged By
Signature

Date

All items listed above are contained in this package.

A detailed description items will be found in Bureau communication dated

SEARCHED	INDEXED
SERIALIZED	FILED
DEC 21 1990	
FBI - SAN FRANCISCO	

[Signature]

(SHIPPING HOURS - 9:00 A.M. TO 4:00 P.M.)

174A-SF-90788-103

FBI

TRANSMIT VIA:

☐ Teletype
☐ Facsimile
☒ AIRTEL

PRECEDENCE:

☐ Immediate
☐ Priority
☐ Routine

CLASSIFICATION:

☐ TOP SECRET
☐ SECRET
☐ CONFIDENTIAL
☐ UNCLAS E F T O
☐ UNCLAS

Date 12/4/90

TO : DIRECTOR, FBI
 (ATTN: BEHAVIORAL SCIENCE UNIT - [redacted])
 FROM : SAC, SAN FRANCISCO (174A-SF-90788) (P) (SQD 13)
 SUBJECT : UNSUBS;
 JUDITH BEATRICE BARI - VICTIM;
 DARRYL REED CHERNEY - VICTIM
 BOMBING OF 1981 SUBARU STATION WAGON
 CALIFORNIA LICENSE 2NWX290
 OAKLAND, CALIFORNIA
 5/24/90
 EID
 OO: SAN FRANCISCO

b7E

Re San Francisco airtel to the Bureau, dated
 8/13/90, and San Francisco conference call with BSU on
 10/16/90.

REQUEST OF THE BUREAU - BEHAVIORAL SCIENCE UNIT - [redacted]
 [redacted]

b7E

BSU is requested to conduct a [redacted]
 [redacted] of the enclosed material and forward results to San
 Francisco.

b7E

Enclosed for the BSU - [redacted] are the
 following:

- 4 - Bureau (Enc. 9)
 4 - San Francisco
 (2) - 174A-SF-90788)
 (2 - 174A-SF-90839)

WRH/dld
 (8)

E [redacted]
 NE [redacted]
 DATE [redacted]

ALL INFORMATION CONTAINED
 HEREIN IS UNCLASSIFIED
 DATE 11/5/92 BY SP-5 CJP/PT

b7E

b6

b7C

Approved: _____ Transmitted _____

(Number) (Time)

Perched _____

Serialized _____

Indexed _____

Filed _____

174A-SF-90788-166

174A-SF-90788
WRH/dld

Item #1 - Photocopies of papers removed from BARI's vehicle.

Item #2 - Photocopies of papers removed from [redacted] backpack.

Item #3 - Photocopies of papers removed from [redacted] backpack.

Item #4 - Photocopies of papers removed from [redacted] backpack.

Item #5 - Photocopies of papers removed from [redacted] residence.

Item #6 - Photocopies of [redacted] notebook.

Item #7 - Photocopies of papers removed from [redacted] vehicle.

Item #8 - Photocopies of papers removed from [redacted] backpack.

Item #9 - Photocopies of [redacted] notebook.

For the information of the BSU, [redacted] is an associate of BARI [redacted] the detonation of the device in her vehicle. [redacted] is also a close associate of BARI and [redacted] and prominent figure in the radical environmental movement. [redacted] is described as a white female, date of birth [redacted] and believed to have an intimate relationship with [redacted] another prominent figure in the radical environmental movement.

b6
b7C

FBI

TRANSMIT VIA:

☐ Teletype
☐ Facsimile
☒ AIRTEL

PRECEDENCE:

☐ Immediate
☐ Priority
☐ Routine

CLASSIFICATION:

☐ TOP SECRET
☐ SECRET
☐ CONFIDENTIAL
☐ UNCLAS E F T O
☐ UNCLAS

Date 12/4/90

TO : DIRECTOR, FBI
 (ATTN: ANONYMOUS LETTER FILES)

FROM : SAC, SAN FRANCISCO (174A-SF-90788) (P) (SQD 13)

SUBJECT : UNSUBS;
 JUDITH BEATRICE BARI - VICTIM;
 DARRYL REED CHERNEY - VICTIM
 BOMBING OF 1981 SUBARU STATION WAGON
 CALIFORNIA LICENSE 2NWX290
 OAKLAND, CALIFORNIA
 5/24/90
 EID
 OO: SAN FRANCISCO

ALL INFORMATION CONTAINED
 HEREIN IS UNCLASSIFIED
 DATE 11/5/91 BY SP-5 CIB/MP

REQUEST OF THE BUREAU

Anonymous Letter Section is requested to search anonymous letter section for any similarities to the enclosed photocopy letter from the "Lord's Avenger" and advise San Francisco.

Enclosed for the Bureau are two photocopies of the letter from the "Lord's Avenger" inclusive of its mailing envelope.

For the information of the Anonymous Letter Section, the Lord's Avenger letter was received approximately six days after captioned incident and addressed to [redacted] staff writer for the Santa Rosa Press Democrat.

2 - Bureau (Enc. 2)
 4 - San Francisco
 (2) - 174A-SF-90788
 (2) - 174A-SF-90839
 WRH/dld
 (6)

E
 NE
 DATE

Searched

Serialized

Indexed

b6

b7C

b7E

Transmitted

(Number)

Per

Corrins file #

106
174A-SF-90788-117

FBI

TRANSMIT VIA:

☐ Teletype
☐ Facsimile
☒ AIRTEL

PRECEDENCE:

☐ Immediate
☐ Priority
☐ Routine

CLASSIFICATION:

☐ TOP SECRET
☐ SECRET
☐ CONFIDENTIAL
☐ UNCLAS E F T O
☐ UNCLAS

Date 12/4/90

1 TO : DIRECTOR, FBI
 2 (ATTN: BEHAVIORAL SCIENCE UNIT, FBI ACADEMY,
 3 QUANTICO, SSA [REDACTED])
 4 FROM : SAC, SAN FRANCISCO (174A-SF-90839) (P) (SQD 13)
 5 SUBJECT : UNSUB(S);
 6 LOUISIANA PACIFIC CORPORATION
 7 LUMBER MILL
 8 26800 ASTI ROAD
 9 CLOVERDALE, CALIFORNIA
 10 5/9/90
 11 EID
 12 OO: SAN FRANCISCO

#C-91-1057-EPL
 ALL INFORMATION CONTAINED
 HEREIN IS UNCLASSIFIED
 DATE 8/13/93 BY 9803 RDD/TAP/1-8

13 Re San Francisco airtel to the Bureau titled
 14 "Unsubs; JUDITH BEATRICE BARI - Victim, etc." (174A-SF-90788),
 15 dated 8/13/90.

b6
b7C

16 REQUEST OF THE BUREAU - BEHAVIORAL SCIENCE UNIT (BSU) -
 17 QUANTICO

18 The Behavioral Science Unit is requested to compare
 19 the enclosed letter which begins "This so called act of
 20 vandalism", which was found at the below described incident,
 21 to the "Lord's Avenger" letter which was enclosed with the
 referenced airtel and determine if the two letters have been
 written by the same individual.

4 - Bureau (Enc. 10)
 (2 - Quantico) (Enc. 10)
 ④ - San Francisco
 (2 - 174A-SF-90839)
 ② - 174A-SF-90788)

JEC/dld
 (8) [Signature]

Searched _____
 Serialized _____
 Indexed _____
 Filed _____

ENCLOSURES SENT

VIA #R 714715493.1

Approved:

See: 1B1

Transmitted

(Number) (Time)

Per

174-SF-90788-780 108

174A-SF-90839
JEC/dld

Enclosed for the Bureau is the original letter referred to below. ~~Three photos regarding the vandalism referred to below~~ and the Petaluma Police Department report concerning same incident.

On 9/22/90, the U.S. Army Recruiting Center, 620 E. Washington Street, Petaluma, California was the victim of vandalism which included spray painted symbols and phrases on the windows and sidewalk in front of the center. A typewritten letter was left under the windshield wiper of the U.S. Government vehicle parked in front of the office. The letter contained information regarding the vandalism to the office. The letter has been processed by the Petaluma Police Department using ninhydrin spray in an attempt to identify latent fingerprints.

Memorandum



To : SAC, SAN FRANCISCO (174A-SF-90788) (P)

Date 12-4-90

From : SA

Subject : UNSUBS;
JUDITH BEATRICE BARI - VICTIM;
DARRYL REED CHERNEY - VICTIM
BOMBING OF 1981 SUBARU STATION WAGON
CALIF. LIC. 2NWX390
OAKLAND, CALIF
5/24/90
EID
OO: SF

b6
b7C

DUE TO CASE AGENTS ASSIGNMENT TO SQUAD 10; IT
IS RECOMMENDED THAT CAPTIONED SUBJECT/MATTER BE
REASSIGNED TO ANOTHER SQUAD 13 AGENT.

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 11/5/91 BY SP-5ci/DHF

REASSIGN TO

(X)

12/10/90
[Signature]

SEARCHED	INDEXED
SERIALIZED <i>9</i>	FILED
DEC 11 1990	
<div style="border: 1px solid black; width: 100px; height: 30px; margin: 0 auto;"></div>	

CC: (2) 174A-SF-90788

174-SF-90788-115
109

FBI

TRANSMIT VIA:

☒ Teletype
☐ Facsimile
☐ _____

PRECEDENCE:

☐ Immediate
☐ Priority
☒ Routine

CLASSIFICATION:

☐ TOP SECRET
☐ SECRET
☐ CONFIDENTIAL
☐ UNCLAS E F T O
☒ UNCLAS

Date 12/5/90

1 FM FBI SAN FRANCISCO (174A-SF-90788) (P) (SQD 13)

2 TO DIRECTOR FBI/ROUTINE/

3 BT

4 UNCLAS

5 CITE: //3790//

6 PASS: HQ FOR SSA COUNTERTERRORISM SECTION, CID.

7
 8 SUBJECT: UNSUBS; JUDITH BEATRICE BARI - VICTIM; DARRYL REED
 9 CHERNEY - VICTIM; BOMBING OF 1981 SUBARU STATION WAGON,
 10 CALIFORNIA LICENSE 2NWX290, OAKLAND, CALIFORNIA, MAY 24, 1990;
 11 EID; OO: SAN FRANCISCO.

12 RE WEEKLY SUMMARY.

13 FBIHQ LABORATORY DOCUMENT - FINGERPRINT ADVISED SIMILARITIES
 14 FOUND IN THE PRINTING STYLE ASSOCIATED WITH THE CARDBOARD
 15 COMMUNIQUE LEFT AT THE SCENE OF THE MAY 9, 1990, BOMBING OF THE
 16 LOUISIANA PACIFIC CORPORATION (LPC) LUMBER MILL (174A-SF-90839)

17 FILTER

#

DLD00350.339

18 LOG

#

12-5-90 352 ISM 12
12-5-90 JULIAN DATE 340

19 ACCEPTANCE TIME

02462 INITIALS MT

20 Approved: RWH/1

Transmitted

(Number)

(Time)

Per

Searched

Serialized

Indexed

Filed

b6
b7c

FBI/DOJ

DLD003D.339

110
 174A-SF-90788-108

FBI

TRANSMIT VIA:

- ☐ Teletype
☐ Facsimile
☐ _____

PRECEDENCE:

- ☐ Immediate
☐ Priority
☐ Routine

CLASSIFICATION:

- ☐ TOP SECRET
☐ SECRET
☐ CONFIDENTIAL
☐ UNCLAS E F T O
☐ UNCLAS

Date _____

1 AND THE COMMUNIQUE MAILED TO THE UNION NEWSPAPER, ARCATA,
2 CALIFORNIA TITLED "TREES SPIKED ON ALL SPECIES FOREST". HOWEVER,
3 BECAUSE OF THE HAND DRAWN NATURE OF THE QUESTIONED WRITING, IT
4 COULD NOT BE DETERMINED WHETHER BOTH ENTRIES WERE PREPARED BY THE
5 SAME WRITER.

6 SAN FRANCISCO HAD OPINED BECAUSE OF THE CLOSE SIMILARITIES
7 BETWEEN THE TWO COMMUNIKES THAT IN ALL LIKELIHOOD IT DISPROVED
8 THE "LORD'S AVENGER LETTER" AS BEING WRITTEN BY SOMEONE THAT IS
9 PRO-LIFE AND WAS PERSONALLY ATTACKING JUDI BARI. THE BACKGROUND
10 IS AS FOLLOWS: ON MAY 9, 1990, THE COMMUNIQUE WAS LEFT AT THE
11 LPC MILL STATING "LP SCREWS MILL WORKERS". A COMMUNIQUE WITH A
12 SIMILAR STYLE OF HANDPRINTING CONDONING TREE SPIKING TITLED
13 "TREES SPIKED ON ALL SPECIES FOREST", WAS MAILED, POSTMARKED
14 APRIL 28, 1990, TO CALIFORNIA ASSEMBLY MEMBER DAN HAUSER. THE
15 SAME COMMUNIQUE WAS ALSO MAILED TO THE ARCATA UNION. ALL THE
16 AFOREMENTIONED COMMUNIKES EXTOLLED TREE SPIKING AND ACTS AGAINST
17 LP AND EXHIBITED A SIMILAR STYLE OF HANDPRINTING, POSSIBLY OF THE
18 SAME PERSON. INVESTIGATION DETERMINED THAT THE ORIGINATOR OF THE
19 LP COMMUNIQUE WAS POSSIBLY THE SAME AS THE ORIGINATOR OF THE TREE
20 SPIKING COMMUNIQUE SENT OUT A MONTH EARLIER, AND IT WOULD BE VERY
21 LIKELY THAT THE AUTHOR(S) OF THE "LORD'S AVENGER" LETTER WAS

Approved: _____ Transmitted _____ Per _____
(Number) (Time)

FBI

TRANSMIT VIA:

☐ Teletype
☐ Facsimile
☐ _____

PRECEDENCE:

☐ Immediate
☐ Priority
☐ Routine

CLASSIFICATION:

☐ TOP SECRET
☐ SECRET
☐ CONFIDENTIAL
☐ UNCLAS E F T O
☐ UNCLAS

Date _____

1 SOMEONE INVOLVED IN THE CONDONING OF TREE SPIKING. THEREFORE,
2 DISCREDIT WOULD BE SHED AS TO THE LORD'S AVENGER AND MOTIVE OF
3 ATTACK EXPLAINED IN SAME LETTER. ALTHOUGH NO CONCLUSIVE EVIDENCE
4 HAS YET TO BE OBTAINED, INVESTIGATION CONTINUES IN THE GATHERING
5 OF HAND PRINTED MATERIAL IN A SPECIFIC STYLE OF PRINT.

6 INVESTIGATION CONTINUES.

7 BT
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Approved: _____ Transmitted _____ Per _____
(Number) (Time)

December 6, 1990

See FD-160 attached ->

[Redacted]
Ukiah, California 95482

Dear [Redacted]

Your June 2nd letter and enclosed petitions to the Attorney General regarding the bombing incident involving Ms. Judi Bari and Mr. Darryl Cherney were referred to FBI Headquarters on November 20th. *also see FD-160 ->*

174A-SF-90788 (8-10-90)
The FBI and the Oakland, California, Police Department are jointly investigating this incident. Since it is an ongoing case, it would be inappropriate for me to comment about any specific aspects at this time. You and the numerous concerned citizens who signed the petitions you enclosed may be assured, however, that this investigation is continuing to receive appropriate investigative attention.

Sincerely yours,

Nicholas V. O'Hara
Deputy Assistant Director
Criminal Investigative Division

① - San Francisco - Enclosures (2)

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE *11/5/91* BY *SP-5 ci/bat*

UTOMATED INDICES CHECKED *gr*

LEADLINE INDICES CHECKED *gr*

SEARCHED <input checked="" type="checkbox"/>	INDEXED <input checked="" type="checkbox"/>
SERIALIZED <input checked="" type="checkbox"/>	FILED <input checked="" type="checkbox"/>
DEC 10 1990	
FBI - SAN FRANCISCO	

[Signature]

174A-SF-90788-175

b6
b7C

[Redacted]
Ukiah, CA 95482

June 2, 1990

Richard Thornburgh
U.S. Attorney General
Constitution Avenue & 10th St., N.W.
Washington, D.C. 20530

Dear Mr. Thornburgh,

A May 24, 1990 car bombing in Oakland, California is generating tremendous interest and concern in northern California. Two members of the environmental group Earth First! were injured, one seriously.

b6
b7c

The enclosed signatures are a small indication of the feeling among people here that law enforcement authorities have jumped too fast to an erroneous conclusion; ie. that the victims were the perpetrators.

Because of the volatility of environmental issues in this part of the country, and particularly with current concern over the survival of north coast redwood forests, it is very important that this crime be investigated fully and brought to a plausible conclusion. Otherwise, I fear, violence could breed counter-violence.

I hope that through the help of people like you, such an investigation can proceed.

Sincerely yours,

[Redacted Signature]

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 11/5/91 BY SP-5 CIB/DF

P E T I T I O N

TO: Richard Thornburgh, *United States Attorney General*
William Webster, *Director of the F.B.I.*
John Van de Kamp, *Attorney General, State of California*
Tim Shea, *Mendocino County Sheriff*
George T. Hart, *Chief of Police, City of Oakland*

JUDI BARI and DARRYL CHERNEY, victims of a car bombing on May 24 in Oakland, have been treated as criminals by the Alameda County Sheriff, the Oakland Police Department and the F.B.I.

We the undersigned hereby protest this injustice and petition all law enforcement authorities to proceed in good faith to find the perpetrators of the crime instead of presuming the guilt of the victims.

b6
b7C

NAME

ADDRESS

TELEPHONE

Please return all petitions to the Mendocino Environmental Center, 106 West Standley, Ukiah, CA by Wednesday, May 30, 1990.

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 11/5/91 BY SP-5 C/DH

Memorandum



To : SAC, SAN FRANCISCO (174A-SF-90788) (P) Date 12/14/90

From : SA [REDACTED] (SQD 13)

Subject: UNSUBS;
JUDITH BEATRICE BARI - VICTIM;
DARRYL REED CHERNEY - VICTIM
BOMBING OF 1981 SUBARU STATION WAGON
CALIFORNIA LICENSE 2NWX290
OAKLAND, CALIFORNIA
5/24/90
EID
OO: SAN FRANCISCO

Approximately two weeks after the 5/24/90, Oakland bombing I received a telephone call from a male individual identifying himself as [REDACTED] relayed an elaborated scheme as a possible reason for the Oakland incident and as requested to put it in writing and submit it to me.

A letter from [REDACTED] dated 6/27/90, was received whereby [REDACTED] theorized that [REDACTED] (Maxxam, Inc.) used \$800 million in junk bonds to obtain the purchase of the Pacific Lumber Company. Of this \$800 million debt, \$350 million from the sell off of PALCO Welding Company and \$30 million from the sale of a San Francisco Office Building, left a net debt of \$420 million. Most people feel [REDACTED] then began to clear-cut the purchased timberland at an extremely fast rate to attempt to pay off this \$420 million debt.

[REDACTED] feels that the value of redwood had been steadily increasing and by accelerated lumbering [REDACTED] was driving the market down. [REDACTED] specifically targeted publicized old growth and areas easily visible in order to initiate a reaction from environmentalists. The reaction and anti-logging drive from the environmentalists was necessary to gain public support on a number of November initiatives which called for the protection of old growth forests resulting in a government purchase to park land preservation. With a purchase of specific old growth areas, namely a small area of Pacific Lumbers Eel River holdings he would be able to pay off the \$420

② - 174A-SF-90788
2 - 174A-SF-90839

WRH/dld
(4) *sub*

SEARCHED <input checked="" type="checkbox"/>	INDEXED <input checked="" type="checkbox"/>
SERIALIZED <input checked="" type="checkbox"/>	FILED <input checked="" type="checkbox"/>
DEC 1 2 1990	
[REDACTED]	

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 11/5/91 BY SP-5 ci/bth

112
174A-SF-90788-*179*

112
b6
b7C

174A-SF-90788
WRH/dld

million debt easily and continue to harvest the remaining land while maintaining the holdings, and resulting in a possible profit of 3 to 4 billion dollars.

[redacted] hypothesis is that [redacted] may be in collusion with [redacted] further identified [redacted] as the sole person who made a difference as a real threat to [redacted] as far as restoring Pacific Lumber to its pre-takeover status and that [redacted] is a devout Catholic and a right-to-life supporter.

[redacted] identified [redacted] as a means to figure the situation out. [redacted] message phone is [redacted]

In a letter from [redacted] dated 7/7/90, is a list of names provided for background information regarding the North Coast.

b6
b7C

[redacted] again sent a letter to myself postmarked 7/24/90, whereby he identified [redacted] as a North Coast individual, employed by Humboldt State University, as a [redacted] Instructor and distrusted by everyone.

Through various telephone calls to me, [redacted] advised the phone number for [redacted] is [redacted] Persons advised to contact for more information are [redacted] and [redacted]

DMV records indicate [redacted] issued CDL number [redacted] Address listed as [redacted] California 95501 and date of birth [redacted] CII number [redacted] as application.

All letters placed in 1A envelope.

Submitted for information.

FBI

TRANSMIT VIA:

☒ Teletype
☐ Facsimile
☐ _____

PRECEDENCE:

☐ Immediate
☐ Priority
☒ Routine

CLASSIFICATION:

☐ TOP SECRET
☐ SECRET
☐ CONFIDENTIAL
☐ UNCLAS E F T O
☒ UNCLAS

Date 12/14/90

1 FM FBI SAN FRANCISCO (174A-SF-90788) (P) (SQD 13)

2 TO DIRECTOR FBI/ROUTINE/

3 BT

4 UNCLAS

5 CITE: //3790//

6 PASS: HQ FOR SSA [REDACTED] COUNTERTERRORISM SECTION, CID.

7
 8 SUBJECT: UNSUBS; JUDITH BEATRICE BARI - VICTIM; DARRYL REED
 9 CHERNEY - VICTIM; BOMBING OF 1981 SUBARU STATION WAGON,
 10 CALIFORNIA LICENSE 2NWX290, OAKLAND, CALIFORNIA, MAY 24, 1990;
 11 EID; OO: SAN FRANCISCO.

12 RE: WEEKLY SUMMARY.

13 TO DATE, THERE HAVE BEEN NO NEW DEVELOPMENTS IN CAPTIONED
 14 INVESTIGATION.

15 BT

16 ALL INFORMATION CONTAINED
 17 HEREIN IS UNCLASSIFIED
 18 DATE 11/5/91 BY SP-5 CJB

19 FILTER # DLDOO150.34820 LOG # MRI 272 ISN 00221 JOURNAL DATE 349ACCEPTANCE TIME 0344Z INITIALS CJBApproved: [Signature]

Transmitted _____

(Number)

(Time)

Per [Signature]

Searched _____
 Serialized 0
 Indexed _____
 Filed _____

FBI/DOJ

DLDOO1D.348

174-SF-90788-113

FBI

TRANSMIT VIA:

☒ Teletype
☐ Facsimile
☐ _____

PRECEDENCE:

☐ Immediate
☐ Priority
☒ Routine

CLASSIFICATION:

☐ TOP SECRET
☐ SECRET
☐ CONFIDENTIAL
☐ UNCLAS E F T O
☒ UNCLAS

Date

12/21/90

FM FBI SAN FRANCISCO (174A-SF-90788)

TO DIRECTOR FBI/ROUTINE/

BT

UNCLAS

CITE: //3790//

PASS: [REDACTED]

b6
b7C

SUBJECT: UNSUBS; JUDITH BEATRICE BARI - VICTIM; DARRYL REED CHERNEY -
 VICTIM; BOMBING OF 1981 SUBARU STATION WAGON, CALIFORNIA LICENSE
 2NWX290, OAKLAND, CALIFORNIA, 5/24/90, EIA, OO: SAN FRANCISCO.

RE TELCALL TO SSA [REDACTED] 12/20/90.

b6
b7C~~CASE AGENT HAS BEEN REASSIGNED TO WORK THE VIOLENT CRIMES~~PROGRAM. ~~CURRENT CASE AGENT IS ASSIGNED~~ *SF Resources are being diverted* FULL-TIME TO A TITLE III,

[REDACTED]. A REVIEW OF THIS MATTER INDICATES

b7E

THAT THE INVESTIGATION REMAINING WILL INVOLVE THE COMPUTERIZATION OF

[REDACTED] INVOLVED IN THIS MATTER.

ALL INFORMATION CONTAINED

HEREIN IS UNCLASSIFIED

DATE 11/5/91 BY SP-5CJ/mre

FILTR

AAN00250.355

LCC

1364

ISN

4

JULIAN DATE 360

JEC/aan
(1)

ACCEPTANCE TIME

2213

INITIALS

[Signature]

b6
b7C

Approved: [Signature]

Transmitted

(Number)

(Time)

Searched

Per [Signature]

Indc.

Filed

AAN002D.355

174-SF-90788-114
FBI/DOJ

FBI

TRANSMIT VIA:

☐ Teletype
☐ Facsimile
☐ _____

PRECEDENCE:

☐ Immediate
☐ Priority
☐ Routine

CLASSIFICATION:

☐ TOP SECRET
☐ SECRET
☐ CONFIDENTIAL
☐ UNCLAS E F T O
☐ UNCLAS

Date _____

1 ^PAGE TWO I74A-SF-90788 UNCLAS

2 DUE TO THE FACT THAT NO IMMEDIATE INVESTIGATION REMAINS, UACB,
3 SAN FRANCISCO WILL DISCONTINUE WEEKLY INVESTIGATIVE UPDATES, AND
4 PROVIDE RESULTS OF INVESTIGATION IN THIS MATTER TO FBIHQ ON A TIMELY
5 BASIS.

6 BT
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Approved: _____ Transmitted _____ Per _____
(Number) (Time)

TRANSMIT VIA: Airtel

CLASSIFICATION: _____

DATE: JAN 9 1991

FROM: Director, FBI

TO: SAC, San Francisco (174-SF-90788)
Attention: NCAVC Coordinator [REDACTED]

UNSUBS;
 JUDITH BEATRICE BARI - VICTIM;
 DARRYL REED CHERNEY - VICTIM;
 BOMBING OF 1981 SUBARU STATION WAGON;
 CALIFORNIA LICENSE 2NWX290;
 OAKLAND, CALIFORNIA;
 5/24/90;
 EID
 OO: SAN FRANCISCO

#C-91-1057-ETL
 ALL INFORMATION CONTAINED
 HEREIN IS UNCLASSIFIED
 DATE 8/13/93 BY 9803 RDD/TAP/ky

Reurairtels 8/13/90, 8/16/90, and 12/4/90, and National Center for the Analysis of Violent Crime (NCAVC) conference call with San Francisco on 10/16/90.

b6
 b7C

Enclosed for the San Francisco Office is a five page analysis of captioned matter.

The results of the NCAVC review of materials provided in the referenced communications was discussed during the referenced conference call. A summary of that analysis has been included as an attachment.

The materials for the Social Network Analysis in this matter have been received and will be analyzed by [REDACTED]

The NCAVC remains attentive to the investigative efforts of the San Francisco Office in this matter.

Attachment



[Handwritten signature]

SEARCHED	INDEXED
SERIALIZED <i>A</i>	FILED
JAN 14 1991	
SAN FRANCISCO	
<i>[Handwritten initials]</i>	



174A-SF-90788-22 115

CONSULTATION SUMMARY

Captioned matter was discussed via conference call with members of the NCAVC and SA [redacted] NCAVC Coordinator, SA [redacted] SA [redacted] SA [redacted] SSA [redacted] and Sgt. [redacted]. The initial discussion was directed to assisting Sgt. [redacted] in his attempt at gaining the confidence of Judy Bari.

[redacted] has not had contact with Bari for at least two weeks. In the middle of September, 1990, she moved to a somewhat isolated area near Willits, California. She had previously lived with her children on the property of her ex-husband [redacted] has never been with Bari alone as she apparently has been accompanied by either her attorney, private investigator, or [redacted] (friend/confidant).

[redacted] has been successful in treating Bari as a victim and has gained ground in attempting to win her confidence. He describes her as manipulative, overbearing, and as someone used to getting her way. Physically, she is confined to a wheelchair and/or walker. Her children would appear to be an important part of her life. The father's relationship with the children is uncertain at this time. She appears to be happiest when she is the center of attention, particularly when it involves the activities of the Earth First group.

b6
b7c

She has denied an association with the bomb that has left her crippled. She has responded to this notion by saying, "are you kidding? Look at me!" Initially, she did not believe anyone from the timber industry was involved in the bombing but now she is unsure. When given the names of other individuals [redacted] Earth First Bay area), she has denied and even become angered over the suggestion of such involvement.

Apparently, the Earth First organization has experienced major shake-ups. According to Bari, civil disobedience has been proposed and largely supported by the more radical men associated with the group. Bari remains as a leader amongst the women in the group.

[redacted]
[redacted] with Bari in what was described as a platonic relationship. Apparently, he is more paranoid than Bari and has experienced recent weight loss. He has altered his appearance by shaving his beard and at times will wear various disguises while in public. Of the two personalities, Bari is described as having the stronger personality.

Bari maintains contact with those in the media and has offered [redacted] to the media as someone to discuss her plight. [redacted] has told Bari on more than one occasion that he does not have anything to discuss with the media.

[] was cautioned to remain alert to Bari, or one of her associates (PI or Attorney), attempting to gain information from him. We believe she will attempt to use [] to find out information about the investigation. Further, it would appear he has proceeded cautiously and his pursuit to gain her confidence has taken a proper path. These types of approaches take time and patience to achieve any significant success.

[] was encouraged to attempt to identify strengths and weakness of not only Bari but [] as well. He may also be in a position to gain intelligence about the Earth First plans, particularly as they relate to "civil disobedience," actions allegedly opposed by Bari.

At this point in the conference call, [] was disconnected and the remainder of the group focused on the bombing and subsequent written communications reviewed by the NCAVC.

b6
b7C

During the afternoon of May 29, 1990, a letter, allegedly written by the "Lord's Avenger" was postmarked from North Bay, California and directed to [] of the Press Democrat. The letter was typed on what appears to be a manual typewriter, which may represent a preference or only such instrument available. This communication has attempted to take credit for the May 24, 1990 car bombing in Oakland, California.

There are indications in this communication, which has us considering that more than one person could have contributed to its composition. While we have someone accurately describing the device, we do not believe this person placed the device in the car. Both of these points will be discussed in detail below.

We are concerned that this communication may have been constructed to direct investigators away from Bari and Churney. This concern will also be discussed below.

The letter maintains a religious theme throughout and described the actions of the author as an attack against Bari, who represents evil, "I saw Satans flames shoot forth from her mouth her eyes and ears...I knew I had been chosen to strike down this demon." The references to bible passages would seem to indicate knowledge of the bible, which may have been acquired from study either past or present. Religion may be important to the person(s) responsible for this letter. These references to the devil may be an attempt to provide the reader with rationale for the bombing by hiding behind a "satanic" reference. This fact could serve as a theme for development during a future suspect interview.

The person(s) are comfortable expressing thoughts and responses to what is happening around them (environmental & abortion issues) through this kind of medium. Consequently, we expect to find other instances where the author(s) have responded in a written format to items of concern.

The sentence structure and vocabulary of the communication would appear to contain differences particularly when the device is discussed. Prior to the discussions of the device, the communication sentence structure, punctuation, and word usage were generally accurately expressed. Such words as "blasphemous, emboldened, and smote" were used prior to the discussion of the device. While discussing the device, frequent incomplete sentences can be found such as, "Battery was 9 Volt... Epoxy glue in the drill hole." The vocabulary used prior to the discussion of the device is clearly absent. These factors have lead us to believe more than one person likely contributed to this communication.

From discussions with investigators, the device described in this letter accurately characterized the device recovered at the crime scene. It is described with such detail that either the bomb maker or someone possessing intimate details about the construction of the device contributed to this communication. The excessive amount of detail concerning the bomb is of particular interest. The author(s) is attempting to gain credibility for having created and detonated the device, through the excessive detail provided in the communication.

The author has taken credit for having "the Devil moved my hand to bomb in Cloverdale..." The FBI Laboratory has compared the device in Cloverdale with the one detonated in Bari's car, and determined enough similarities exist to suggest the same person or persons constructed these two devices.

When a comparison is made between the excessive detail surrounding the device and the lack of detail when addressing the placement of the device, an interesting contrast develops. While the author accurately described silencing the device with a yellow sponge and covering it with a blue towel, no detail is forthcoming on the placement of the device in the car. The author suggested that the device was in place for "...two nights and days," but does not describe the location of the bomb, other than saying, "(it) fit under her seat." This lack of detail, which is clearly inconsistent with the detail surrounding the creation of the device, has lead us to believe the person making the device most likely was not responsible for the placement of the device.

Further, the communication states the bomb was placed "2 nights and 2 days" before exploding. We are to believe the pocket watch stopped, then started up again, triggering detonation after Cherney joined Bari in the car. While this scenario is not impossible, it is extremely unlikely.

Generally, when nails are placed in or around a pipe bomb they are for anti-personnel purposes. The bomb is placed where the explosion is likely to fling the nails and inflict injury to the maximum number of persons. Pipe bombs placed in cars are

typically designed to do the maximum damage possible in order to ensure the death of the intended party. These bombs were secreted in places unlikely to be discovered by the intended victim. This device was fastened to "a piece of paneling." A bomb fastened to a board such as this implies another use. That is, to affix the board with the bomb to a wall, ceiling, under a desk or other similar location. The board placed under a car seat presents a greater risk of being detected prior to detonation, should an occupant of the vehicle glance or feel beneath the seat. A bomb and components taped together in a compact unit can be placed under a car seat with far less likelihood of discovery.

The builder of the bombs had to have certain basic abilities. This person had some skill and knowledge of electric circuitry, wiring, plumbing and carpentry. A degree of skill was needed in the use of hands to solder, bend wire, and generally make things fit. Skills which traditionally are thought to be of the male gender are demonstrated. The builder of the bombs may be a hobbyist as suggested by the "model paint bottle" mentioned in the correspondence. Such hobbies as model plane, train or car building would develop skills used in the bomb construction. A knowledge of hardware terminology is suggested by the reference to the "small hex head screw."

The bomb builder possessed the confidence to construct the device. An area safe from detection and which had space to construct the bomb was needed. A shop, garage or other place with a work bench or surface was necessary. Tools needed to accomplish the bombs manufacture include wire cutters, needle nose pliers, soldering gun or iron, drill and bits, screwdriver or nutdriver, vice and/or pipe wrenches, and a saw. Whoever built the bomb may be in the building trades such as sheetmetal worker, electrician, plumber, carpenter, or general handyman. He probably does not have an extensive background in explosives such as military experience, mining or road construction.

The timing of the communication (postmarked 5 days after the device exploded), religious references, and lack of detail when describing the placement of the device, are factors which challenge the author's claim of formulating and executing a plan to kill Judith Bari and Darryl Cherney. It is conceivable that such a communication was written to shift the focus of the investigation from one area to another.

A comparison of the "Lord's Avenger" communication was conducted against the following letters:

- (1) Letter to [redacted] by Zoro.
- (2) Letter to [redacted] by Lt. Colombo's
Poker Pal.
- (3) Letter to The Powers That Be by Colonel Zero

b6
b7c

The format, instrument used for typing, verbiage and content are listed as reasons why we believe the author(s), "Lord's Avenger" most likely did not create the above letters.

FBI

TRANSMIT VIA:

☐ Teletype
☐ Facsimile
☒ AIRTEL

PRECEDENCE:

☐ Immediate
☐ Priority
☐ Routine

CLASSIFICATION:

☐ TOP SECRET
☐ SECRET
☐ CONFIDENTIAL
☐ UNCLAS E F T O
☐ UNCLAS

Date 2/11/91

TO : DIRECTOR, FBI
 (ATTN: FBI LABORATORY)

FROM : SAC, HOUSTON (9A-HO-29714) (P)

SUBJECT : UNSUB(S);
 THREATENING LETTER TO
 [REDACTED] - VICTIM;
 EXTORTION;
 OO: HOUSTON

ALL INFORMATION CONTAINED
 HEREIN IS UNCLASSIFIED
 DATE 11/5/91 BY SP-5 ci/btf

Reference FBI Laboratory report dated 12/14/90,
 captioned, "UNSUB(S); JUDITH BEATRICE BARI - VICTIM, DARRYL
 REED ET AL; EID; OO: SAN FRANCISCO", FBI FILE NO. 174-10707,
 LAB NO. 01001049 D WW. Reference FBI Latent Fingerprint
 Section, Identification Division report dated 1/17/91,
 captioned, "UNSUB(S); JUDITH BEATRICE BARI - VICTIM; DARRYL
 REED CHERNEY - VICTIM; BOMBING OF 1981 SUBARU STATION WAGON,
 CALIFORNIA LICENSE 2NWX290, OAKLAND, CALIFORNIA, 5/24/90;
 EID", FBI FILE NO. 174-10707, LATENT CASE NO. C-91022.

Enclosed for the Bureau is one FD-632 envelope that
 contains one envelope addressed to [REDACTED] postmarked
 12/3/90 at New Jersey, one 1/2 sheet of paper with typing on
 both sides, one cartoon titled "Corporate Fall", one sheet of

3 - Bureau (Encl. 5)
 2 - Newark (Encl. 6)
 ③ - San Francisco (Encl. 9) *RS*
 ① - 174A-SF-90788)
 (2 - 9A-HO-29714)
 2 - Houston
 RKK/rkk
 (10)

SEARCHED GEN	FOIMS
SERIALIZED SEARCHED	INDEXED
FILED	
FEB 19 1991	
Per [REDACTED]	
FBI - SAN FRANCISCO	

Approved: _____ Transmitted _____

(Number) (Time)

174A-SF-90788-116

RE: 9A-HO-29714

paper offering \$5000 reward for [redacted] and one sheet of paper containing a picture of a black cat and threatening sabotage. Also enclosed for the Bureau are two copies of an FD-302, dated 9/19/90 relevant to previous threats received by [redacted] and two copies of a letter from [redacted] dated 1/24/91 relevant to enclosed envelope and materials.

b6
b7c

Enclosed for Newark are two copies of the envelope addressed to [redacted] and threatening materials, two copies of the FD-302 dated 9/19/90 and two copies of the [redacted] letter dated 1/24/91. Three copies of these items are enclosed for San Francisco.

REQUEST OF THE BUREAU:

LABORATORY DIVISION, DOCUMENT SECTION:

The FBI Laboratory Document Section is requested to search the enclosed materials through the Anonymous Letter File.

The FBI Laboratory Document Section is requested to examine the typing and handwriting found on the enclosed items and compare to samples previously submitted in Bureau File No. 174-10707, Lab No. 01001049 D WW.

The FBI Laboratory Document Section is then requested to forward the enclosed items to the FBI Identification Division, Latent Fingerprint Section.

The results of the above examinations should be forwarded to the Houston, Newark and San Francisco Divisions.

IDENTIFICATION DIVISION, LATENT FINGERPRINT SECTION:

The Identification Division, Latent Fingerprint Section is requested to process the enclosed materials for any fingerprints of value.

The Identification Division, Latent Fingerprint Section is then requested to compare any prints of value with those previously discovered in FBI File No. 174-10707, Latent Case No. C-91022.

RE: 9A-HO-29714

The results of the above examinations should be forwarded to the Houston, Newark and San Francisco Divisions. All evidence should be returned to the Houston Division.

For the information of the Bureau and receiving offices, [redacted] the Federated Development Company (FDC). FDC owns several companies including Maxxam Inc. Maxxam Inc. in turn owns the Pacific Lumber Company (PLC). The PLC has recently engaged in an aggressive timbering policy which has resulted in several environmental groups becoming actively involved in various forms of protest against the new policy. One of the more aggressive groups is the EARTH FIRST group which appears to be involved in the mailing of threatening communications to [redacted]

The enclosed envelope and materials were received at the Houston Office of the FBI on 1/25/91 after being mailed by [redacted] FDC.

b6
b7c

Newark is being provided with this Airtel and enclosures because envelope containing threats was postmarked in New Jersey.

San Francisco is being provided with copies of this Airtel and enclosures because of apparent connection between the most recent threats received by [redacted] and previous threats which were handled under San Francisco File No. 174-SF-90788.

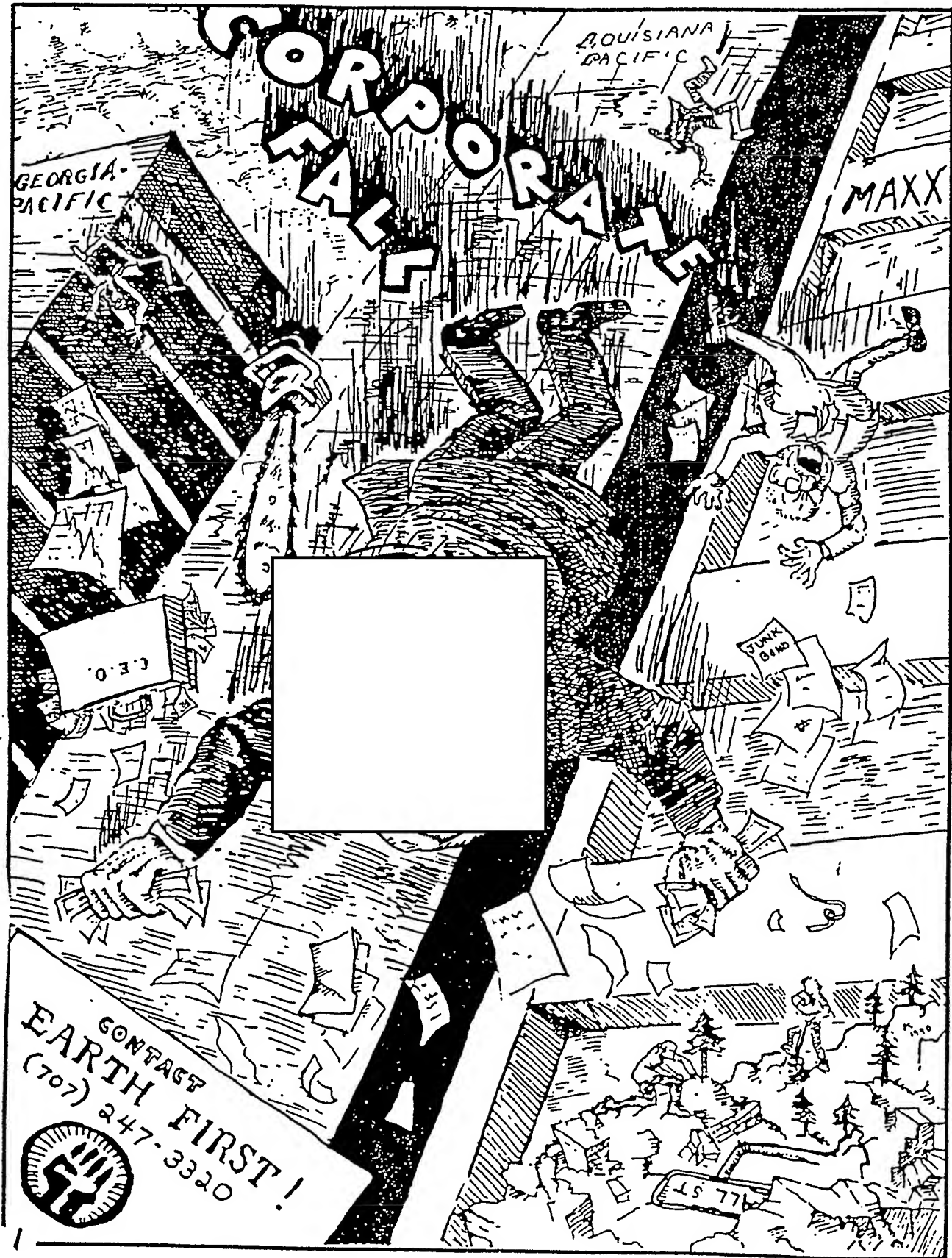
This investigation will continue at Houston.

LEADS:

NEWARK DIVISION:

At Newark, New Jersey:

Newark is requested to search indices for any references to the environmental group known as EARTH FIRST.



b6
b7c

Obverse of 1/2 page
With typewritten message
[redacted]

Dear [redacted]

We know where you live. You cannot run from the crimes you continue to commit. Like your buddy [redacted] you too shall suffer the same fate or worse! Your junk bond scheme is becoming nation wide news. You will pay for your disgusting and blatant disregard for the environment and the workers. You have liquidated the entire Ancient Redwood ecosystem except for one small piece, which is your next target, while liquidating your workers pension funds. Enough is enough! We will not stand to see the last of the Ancient Redwood Wilderness or the workers of Pacific Lumber fall to pay off your junk bond debts! If you thought the pressure has been bad this past summer and the past few years you haven't seen anything yet. We will use any means possible to see to it that you pay for your crimes. Any means! Remember WE NEVER SLEEP, WE NEVER FORGET!

b6
b7C

THE WILD ONES

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 11/5/91 BY SP-5ci/btf

SEARCHED GEN	FOIMS
SERIALIZED SEARCHED	INDEXED
FILED	
FEB 19 1991	
FBI - SAN FRANCISCO	
1a	

Reverse of 1/2 page -
which was used as
letter stock for
above message.

For Immediate Release:

DON'T BE DECIEVED!

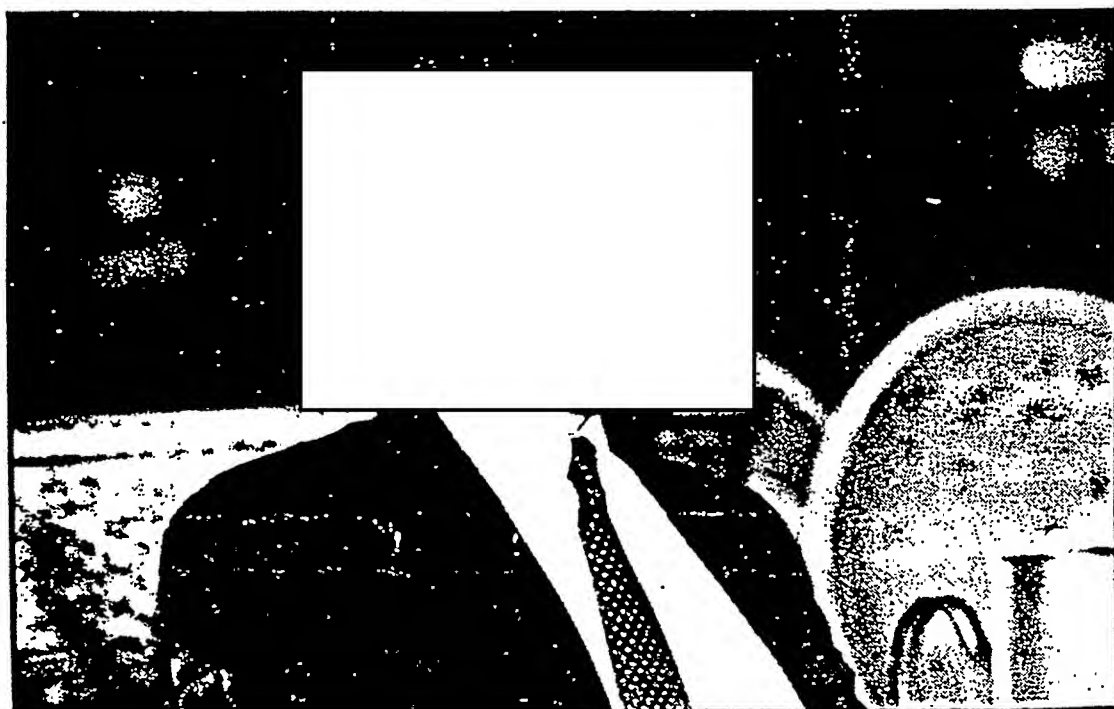
With their grassroots effort to shed some light on the deceitful propaganda of the timber industry, B.A.G (Biodiversity Action Group), revealed their message, Halloween morning to the rush hour traffic of Rt. 280 in San Jose. Using their artistic creativity, they designed a 15x23 ft. banner which read, "Don't Be Deceived By The Timber Industry, Vote No on 138".

Prop. 138 is officially titled "The Global Warming and Clearcut Reduction, Wildlife Protection and Reforestation Act of 1990", otherwise known as "Big Stump". "Prop. 138 is designed to confuse the voters. It's title is completely misleading. The wording sounds as if the measure would tighten the environmental regulations when in reality it allows the clear cut and run policies to continue", sta

REWARD!

\$5000

*for information leading to
the arrest and conviction of*



b6
b7C

TEXAS [REDACTED] MCO HOLDINGS AND MAXXAM CORPORATION, WHICH IN
ATE 1985 ILLEGALLY BOUGHT OUT THE PACIFIC LUMBER COMPANY, IN HUMBOLDT COUNTY, CALIFORNIA.
[REDACTED] SUBSEQUENTLY DOUBLED OR TRIPLED PACIFIC'S OLD GROWTH REDWOOD LOGGING VOLUME, VIOLATING
THE CALIFORNIA ENVIRONMENTAL QUALITY ACT AND NUMEROUS OTHER STATE AND FEDERAL LAWS.
REAL ESTATE AND OIL DEVELOPMENT COMPANIES [REDACTED] CONSISTENTLY VIOLATE ENVIRONMENTAL
LAWS AND THOSE PERTAINING TO TAKEOVERS. [REDACTED] AND MAXXAM ARE CURRENTLY UNDER INVESTIGATION
BY THE SECURITIES AND EXCHANGE COMMISSION AND THE HOUSE SUBCOMMITTEE ON OVERSIGHT AND
INVESTIGATION FOR ANTI-TRUST AND OTHER FEDERAL VIOLATIONS.

Information should be sent to: Earth First!, P.O.B. 368, Bayside, CA 95524

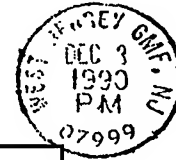
BEWARE!

WE NEVER SLEEP...



WE NEVER FORGET...

SABOTAGE!



2701

b6
b7C

5

FEDERATED DEVELOPMENT COMPANY

5847 SAN FELIPE, SUITE 2600 • HOUSTON, TEXAS 77057
713 • 952-2400
FAX 713 • 952-4795

CALIFORNIA OFFICE

69-844 HIGHWAY 111, SUITE D
RANCHO MIRAGE, CALIFORNIA 92270
619 • 321-6502
FAX 619 • 321-7518

[REDACTED]
January 24, 1991

[REDACTED]
Special Agent
Federal Bureau Investigation
2500 East T.C. Jester, Room 200
Houston, TX 77008

RE: [REDACTED]

Dear [REDACTED]

I have enclosed for further handling another threat letter directed to [REDACTED] of Federated Development Company and MAXXAM Inc. The letter was opened by [REDACTED] and the content pages were handled by both [REDACTED]. In accordance with your instructions, all subsequent handling of the contents were made with gloves.

b6
b7c

As you will see, this letter was mailed from New Jersey to the [REDACTED] residence rather than his office. Apparently his residence address is now widely known by Earth First and others. Needless to say, this also gives us rise for some concern. It was also interesting to note that the author of the cover letter used "recycled" paper stock from a California initiative press type release.

We look forward to any further information that you might have on this matter.

Very truly yours,

FEDERATED DEVELOPMENT COMPANY
[REDACTED]

/jm

c: Agent Richard Held
San Francisco, CA

Director William S. Sessions
Washington, D.C.

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 11/5/91 BY SP-5ci/btf

TRANSMIT VIA: AIRTELCLASSIFICATION: UNCLASDATE: 3/6/91

FROM: Director, FBI

TO: SAC, San Francisco (174-SF-90788)

UNSUBS;
 JUDITH BEATRICE BARI - VICTIM;
 DARRYL REED CHERNEY - VICTIM;
 BOMBING OF 1981 SUBARU STATION WAGON;
 CALIFORNIA LICENSE 2NWX290;
 5/24/90;
 EID;
 OO: SAN FRANCISCO

Released for HQ -
 10707 ser. SO - letter
 + questions

Processed
 in HQ
 file??
 Not in
 redacted
 SF file

Reference telephone call from SSA [redacted]
 Domestic Terrorism Unit, FBIHQ, to SSA [redacted]
 San Francisco Division, 3/6/91.

b6
 b7c

Enclosed for San Francisco are a list of questions which were submitted to FBIHQ pertaining to captioned matter from Congressman Don Edwards and a cover letter concerning the questions.

As explained in referenced telcall, this is the second time that Congressman Edwards has submitted this list of questions. These questions are being provided to San Francisco for information purposes only. Some of the questions concern information the Oakland Police Department may have had prior to captioned event. As suggested in referenced telcall, San Francisco should share the list with the Oakland Police Department, in the event they receive some questions from Congressman Edwards.

Enclosure

C 91-1057-EFL
 ALL INFORMATION CONTAINED
 HEREIN IS UNCLASSIFIED
 DATE 8/13/93 BY 9803 RDD/TAP/dag

(X)

[redacted] - Let's set
 Appl. w/ LT [redacted]
 OPD

SEARCHED	INDEXED
SERIALIZED	FILED
MAR 14 1991	
FBI - SAN FRANCISCO	

174-SF-90788-286

117

U.S. House of Representatives
Committee on the Judiciary

Washington, DC 20515-6216

One Hundred Second Congress

January 30, 1991

The Honorable William S. Sessions
Director
Federal Bureau of Investigation
J. Edgar Hoover Building
Washington, D.C. 20515

Dear Director Sessions:

Thank you for your letter of November 14, 1990 regarding the Bureau's investigation of the bombing incident in Oakland, California last May in which two individuals were injured.

Your response assumed that the Subcommittee was asking for the results of the FBI investigation. We were not. Our inquiries focused on certain procedural aspects of the case.

The specific, serious concerns about the role of the FBI that have been brought to the Subcommittee's attention cannot be met by general assurances that the FBI conducts its investigations without bias. To help focus our oversight inquiry, we had drafted a list of questions we wanted to pursue. I have carefully reviewed the questions and have enclosed a revised list. They do not seek the results of the investigation. They do not seek the names of individuals who may be under investigation, the identities of sensitive sources or any grand jury material.

As I suggested in my original letter, I look forward to resolving the concerns raised about the handling of the Oakland bombing while protecting the results of on-going investigations.

Sincerely,

Don Edwards

Don Edwards
Chairman
Subcommittee on Civil and
Constitutional Rights

DE:jdb
Enclosure

#C-91-1057-EPL
ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 8/13/93 BY 9803 RDD/mof/ab

174-SF-90788-XSS

Issues Regarding Cherney-Bari Bombing

1. What is the current role of the FBI in investigating the bombing?
 - What priority is currently being given the case?
2. What was the FBI's role in the week immediately following the bombing?
 - How and when did the FBI learn of the bombing?
 - Did FBI personnel respond to the scene of the explosion? If so, when and for what purpose?
3. What is the current relationship between the FBI and the Oakland Police Department (OPD) with regard to the investigation of the bombing?
 - How has the relationship evolved over the course of the investigation?
 - What type of assistance has the FBI provided the OPD?
 - What type of assistance has the OPD provided the FBI?
 - What type of assistance has the FBI provided to the Willits Police Department?
 - Has the Bureau of Alcohol, Tobacco and Firearms been involved in the investigation?
 - Did the FBI assume the lead agency role after the Oakland prosecutor decided not to seek an indictment of Cherney and Bari?
4. Did the FBI participate in any of the physical searches that occurred after the bombing? If so, which ones?
 - Did the FBI participate in the search of a group house in Berkeley called Seeds of Peace? If so, was there a warrant for that search when it was conducted?
5. Did the FBI participate in any interviews of Bari or If so, which ones?
6. Did the FBI wait to begin interviewing other persons until after the local district attorney declined to file charges against Bari and Cherney? If so, why?
7. Did legal counsel for Bari offer to cooperate with the FBI? If so, how has the FBI responded to that offer?

b6
b7C

-- Is use immunity never granted to victims who may also be suspects?

8. Prior to May 24, did the FBI or the Oakland police have any information that environmentalists or pro-choice activists in northern California would be subject to bomb attacks or other violence?
9. Did the FBI in northern California have an investigation of Earth First or Redwood Summer prior to the bombing? Does it now?
10. Did the OPD have an investigation of Earth First or Redwood Summer prior to the bombing?

Memorandum



To : SAC, SAN FRANCISCO (174A-SF-90788) (P) Date 3/27/91

From : SSA [REDACTED] (SQD 13)

Subject: UNSUB, aka
JUDITH BEATRICE BARI - VICTIM;
DARRYL REED CHERNEY - VICTIM
BOMBING OF 1981 SUBARU STATION WAGON
CALIFORNIA LICENSE 2NWX290
OAKLAND, CALIFORNIA
MAY 24, 1990
EID
OO: SAN FRANCISCO

Re Bureau airtel, dated 3/6/91, which enclosed a list of questions furnished to FBIHQ by the office of Congressman DON EDWARDS.

Referenced airtel instructed that San Francisco make contact with the Oakland Police Department.

By facsimile on 3/22/91, SSA [REDACTED] FBIHQ, furnished a series of replies to the questions posed by Congressman EDWARDS' office.

On 3/25/91, SSA [REDACTED] and SA [REDACTED] case Agent, met with Lieutenant [REDACTED] and Sergeant [REDACTED] Homicide Detail, Oakland Police Department, who have joint jurisdiction in this matter. Lieutenant [REDACTED] was presented with both a list of questions and answers as provided by FBIHQ. [REDACTED] was told that since this was a joint investigation it was only appropriate that Oakland PD know about other activities being conducted, particularly those of the Congressman's office. [REDACTED] asked and was told that it was not necessary for the Oakland Police Department to issue any kind of statement about the interest to Congressman EDWARDS' in this case. [REDACTED] stated that the Oakland Police Department would not issue any statement. He did note that in anticipation of the one year anniversary of this event, that television station KQED of San Francisco is preparing some type of documentary program regarding the entire case. [REDACTED] advised that he did consent to an on-camera interview by KQED, and made only general statements regarding the case.

b6
b7C

PJW/dld
(2) *[Signature]*

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 11/5/94 BY SP-3 ci/DHF

SEARCHED GEN	FOIMS
SERIALIZED SEARCHED	INDEXED
FILED	
MAR 27 1991	
FBI - SAN FRANCISCO	

[Signature]
174-SF-90788-188

174A-SF-90788
PJW/dld

Both Lieutenant [] and Sergeant [] emphasized that there are no new suspects developed nor have there been any new leads received or developed as a result of their investigation. They were advised that SA [] continues to have a small number of leads that need to be run out, and their department will be told of the results of those investigations.

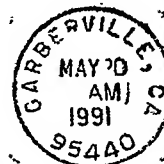
b6
b7C

Lieutenant [] noted that victim JUDI BARI and her attorney filed a standard claim against the Oakland Police Department, but this will probably be denied as part of an administrative process. He suggested that a law suit naming the Oakland Police Department as a defendant would be filed next by BARI, however, this is only a supposition on his part.

This meeting was entirely cordial and both agencies agreed that this is a very difficult case to work, particularly given the political emphasis placed upon it by certain elements, and this is further compounded by the lack of cooperation by the victims.

Earth First!
Box 34
Garberville, CA
95440

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 11/13/91 BY SP-5 ci/BH



Agent
F.B.I.
5th St. & H St.
Eureka, CA 95501

b6
b7C

FBI FACSIMILE
COVERSHEET

CLASSIFICATION

PRECEDENCE

☐ Immediate
☒ Priority
☐ Routine

☐ Top Secret
☐ Secret
☐ Confidential
☐ Sensitive
☒ Unclassified

Time Transmitted: _____

Sender's Initials: _____

Number of Pages: 4 CoverTo: FBI SAN FRANCISCO
(Name of Office)Date: 3-22-91

Facsimile number: _____

Attn: SSA
(Name)Telephone No.) #C 91-1057-EFL
ALL INFORMATION CONTAINEDFrom: FBI HQ
(Name of Office)HEREIN IS UNCLASSIFIED
DATE 8/13/93 BY 9803 RDD/TAP/PL7Subject: JUDITH BARI; DARRYL CHERNEY;
EID; OO: SFb6
b7C

Special Handling Instructions: _____

Originator's Name: _____

Telephone: X 4650

Originator's Facsimile Number: _____

Approved: Htm/fg

Rm 8200
TL243
X4650

SEARCHED GEN	FORMS
SERIALIZED SEARCHED <u>20</u>	INDEXED
FILED	
MAR 27 1991	
FBI - SAN FRANCISCO	

174-SF-90788-189

The following questions were received from Congressman Don Edwards concerning the case captioned:

UNSUBS, AKA; JUDITH BEATRICE BARI - VICTIM;
DARRYL REED CHERNEY - VICTIM; BOMBING OF
1981 SUBARU STATION WAGON, CALIFORNIA LICENSE 2NWX290,
OAKLAND, CALIFORNIA, 5/29/90;
EXPLOSIVE AND INCENDIARY DEVICE (EID);
OO: SAN FRANCISCO.

1. What is the current role of the FBI in investigating the bombing?

- What priority is currently being given the case?

At this time, the FBI is conducting a joint investigation of this matter with the Oakland Police Department (OPD), and it is a priority matter within the San Francisco Division.

2. What was the FBI's role in the week immediately following the bombing?

FBI's In the week immediately following the bombing, the role was assisting the OPD in processing the evidence recovered at the scene of the bombing, and various residences, to include those of Bari and Cherney.

- How and when did the FBI learn of the bombing?

The FBI's San Francisco office was notified by the OPD immediately after the bombing occurred.

- Did FBI personnel respond to the scene of the explosion? If so, when and for what purpose?

the of the FBI agents responded to the crime scene to assist in collecting and preserving evidence, and conducting interviews of witnesses. The FBI laboratory examined evidence recovered at the crime scene, at the request of the OPD.

- What did the FBI's San Francisco office know about [redacted] and Bari at the time of the bombing?

4/19/90, The FBI knew that [redacted] had been arrested about by the California Highway Patrol for trespassing [redacted] was a participant in an Earth Day Demonstration. The FBI's San Francisco field office was not aware of Bari.

3. What is the current relationship between the FBI and the OPD with regard to the investigation of the bombing?

#C-91-1057-EKL
ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 8/13/93 BY 9803 RDD/jrp/t-j

b6
b7C
✓

(1)

the - How has the relationship evolved over the course of investigation?

this The FBI continues to work jointly with the OPD on
as OPD matter, however the FBI has taken a more active role
officers were assigned to other investigations as time passed.

- What assistance has the FBI provided the OPD?

the The FBI laboratory examined the evidence recovered at
assisted crime scene at the request of the OPD, and the FBI
been in interviews and searches. Other FBI resources have
utilized.

- What assistance has the OPD provided the FBI?

OPD has allowed the FBI access to their investigative files and notes.

Police - What assistance has the FBI provided the Willits Department?

The FBI has offered to assist the Willits Police Department with any aid or information available, however the Willits Police Department has not requested any assistance.

- Is the Bureau of Alcohol, Tobacco and Firearms (BATF) involved in the investigation?

The BATF is not involved in this investigation.

Oakland - Did the FBI assume the lead agency role after the
and prosecutor decided not to seek an indictment of Cherney Bari?

The FBI has assumed a more active role in this investigation as officers from the OPD were assigned to more immediate matters as time passed.

4. Did the FBI participate in any physical searches that occurred after the bombing? If so, which ones?

OPD of The FBI did participate in searches jointly with the
in Bari's residence in Redwood Valley [redacted] residence
[redacted] California, the residence of [redacted]
Bari's [redacted] and the home
[redacted] The FBI also assisted in
of search of a number of vehicles. All of these searches
the were based on state search warrants.

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b7c

(2)

houses there a - Did the FBI participate in the search of a group of in Berkeley called the Seeds of Peace? If so, was warrant for that search when it was conducted?

If a search of the houses of the Seeds of Peace occurred, the FBI did not participate in the searches. It is unknown whether there was an actual search of the Seeds of Peace houses. If there was a search it was conducted by the OPD and they would have obtained the warrant.

Berkeley PD
on exigent
circumstances
RE Explosive
Device Danger
to Public

house questioning? - What was the legal basis on which occupants of the were taken after the search to the OPD for

were in If this occurred, the members of the Seeds of Peace taken to the OPD by the OPD. The FBI was not involved transporting the Seeds of Peace members or in their interviews.

5. Did the FBI participate in any interviews of Bari or

The FBI and the OPD conducted separate interviews of [redacted] Bari has never been interviewed by the FBI.

b6
b7C

6. until to Did the FBI wait to begin interviewing other persons after the District Attorney of Alameda County declined file charges against Bari and Cherney? If so, why?

The District Attorney for Alameda County did not decline to file charges in this matter. He stated that there was insufficient evidence at that time to seek an indictment. The FBI assisted in processing evidence and interviewing some of the witnesses at the scene of the crime prior to his statement. After the statement, the FBI took a more active role in the interviews, because the OPD officers were being diverted for more urgent investigations.

7. FBI? Did legal counsel for Bari offer to cooperate with the If so, how has the FBI responded to that offer?

before she tape the refused Bari's attorney wanted complete immunity for Bari could be interviewed. The attorney also wanted to record the interview and review the summaries of all other interviews prior to Bari's interview. The FBI to accept these unusual pre-conditions to an interview.

be - Is use immunity never granted to victims who may also suspects?

✓

the suspect in Use immunity is a decision made in consultation with the prosecutor. Use immunity is sometimes given to a

gain other (3)
order to get them to cooperate in an investigation, to additional testimony concerning the involvement of suspects.

8. Prior to May 24, did the FBI or OPD have any information that environmentalists or pro-choice activists in Northern California would be subject to bomb attacks or other violence?

No.

9. Did the FBI in Northern California have an investigation of Earth First, [redacted] Bari, Redwood Summer, or Seeds of Peace prior to the bombing? Does it now?

No. The only investigation the FBI currently has concerning these people or groups is the investigation of the bombing involving Bari and Cherney.

b6
b7C

10. Did the OPD have an investigation of Earth First, [redacted] Bari, Redwood Summer, or Seeds of Peace prior to the bombing? If so, what was the focus of that investigation?

There was never any indication that the OPD had an investigation of any of these people or groups prior to the bombing.

11. What efforts have been made to identify the writers of the so-called "Lord's Avenger" and "Zero" letters?

The FBI laboratory has examining the letters and preparing a profile of the "Lord's Avenger." The FBI has canvassed the newspapers, law enforcement agencies, logging companies, and the few environmentalists who will cooperate in Northern California, to determine if they have received any other letters or could provide any information about the writer(s). If similar letters are discovered they will be submitted to the FBI laboratory for comparison. To date, no similar letters have been received.

Memorandum



To : SSRA [REDACTED] 174A-SF-90788 Date 5/22/91

From : SA [REDACTED] (ERA)

Subject : UNSUBS;
JUDITH BARI- VICTIM
DARRYL CHERNEY - VICTIM
BOMBING OF 1981 SUBARU WAGON
OAKLAND, CA
5/24/90
EID
OO-SF

b6
b7C

Attached and considered part of this memo is a letter dated 5/15/91 to [REDACTED] a copy of a letter dated 5/15/91 addressed to Humboldt County Supervisor HARRY PRITCHARD, both of which are signed by [REDACTED]. The attached letters were mailed to the ERA in an envelope postmarked 5/20/91. Also enclosed is a copy of the news article containing the quote referred to in CHERNEY'S letter.

The attached letters are being provided for the information and assistance of the case agent in above captioned matter.

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 4/15/92 BY SP-501/2013

DWM/dwm
(1)

SEARCHED	GEN	FOIMS
SERIALIZED	SEARCHED	INDEXED
FILED		
MAY 24 1991		
FBI - SAN FRANCISCO		

174A-SF-90788-209
119

Times-Standard

WEDNESDAY, April 24, 1991

Eureka, California

35 cents

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 11/5/91 BY SP-5 C/DH

County blasts timber bills

Board says measures would ruin economy

Mark Rathjen
Times-Standard

EUREKA — Humboldt County supervisors expressed frustration Monday with pending state timber management legislation they say would devastate the county's economy.

The legislation, co-sponsored by North Coast's representatives in Legislature, is intended to end long-standing feud between the timber industry and environmentalists over timber harvest practices

in California.

However, the supervisors voted 3-to-1 to oppose the current group of four bills because they say the measures don't apply to coastal forest conditions and would cost timber industry jobs and county tax revenue.

Supervisor Julie Fulkerson dissented and Supervisor Bonnie Neely was absent.

"When you keep taking food out of people's mouths, somebody is going to get killed," Supervisor Harry Pritchard said, adding after the

meeting that he was referring to possible violence between timber workers and environmentalists.

"It's my close friends who are going to be put out of work (by the proposed legislation)," Pritchard said. "It makes me really emotional to see them put out of work by a bunch of idiots in Sacramento who've proved they can't do anything right."

Board Chairwoman Anna Sparks testified Monday at committee hearings on the timber bills in Sacramento. She said state lawmakers did not seem concerned that the legislation could hurt county residents.

"Nobody is looking at what they are doing to (local workers)," Sparks said.

Supervisors Julie Fulkerson and Stan Dixon said they also opposed

• See TIMBER/Back of Section

President seeking logging balance

WASHINGTON (AP) — President Bush has repeated his pledge to strike a balance between loggers and the northern spotted owl but offered no specifics in a White House meeting with Northwest Republican senators.

Republican Sens. Slade Gorton of Washington and Mark Hatfield and Bob Packwood of Oregon told Bush on Tuesday they fear government efforts to save the owl are

ignoring the impact on workers and their region's timber-based communities.

The senators also laid the groundwork for attempts planned next year to change the Endangered Species Act so that economics carry more weight in dealing with threatened or endangered species, Gorton and Packwood said.

• See LOGGING/Back of Section

[redacted]
May 15, 1991

Agent [redacted]
FBI
Eureka, CA 95501

Dear Agent [redacted]

I'm enclosing a letter for Supervisor Harry Pritchard for your files. It is clear by his statement, "When you keep taking food out of peoples' mouths, someone's going to get killed. It's my good friends who are going to be put out of work," that Mr. Pritchard has knowledge of people who could potentially kill someone.

I formally request that you question Mr. Pritchard both in relation to getting leads concerning the May 24, 1990 assassination attempt of Judi Bari and bombing of [redacted] as well as checking him out for future hate crimes which might take place, a matter which is clearly in your and the FBI's jurisdiction.

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You can reach me at the above address or my answering service [redacted]. Thank you for your prompt attention to this urgent matter. Let's try to stop the violence against environmental activists this year before Mr. Pritchard's friends and others start it again.

By the way, if you want to check out some real hatred, go to the May 18 patriots rally in Arcata and take notes. Wear plain clothes and mingle. Or better yet, wear an Earth First! shirt and experience hate crimes first hand.

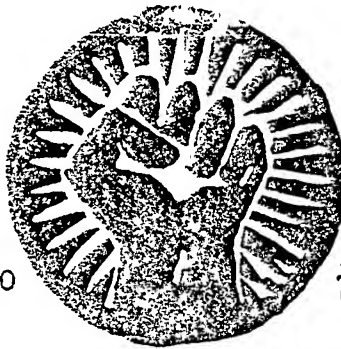
[redacted]

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 2/5/91 BY SP-5ci/012

REC BAA
5/21/91
open 5/22/91
[signature]

Earth

Box 34, Garberville, CA 95440



First!

707/923-2108

May 15, 1991

Supervisor Harry Pritchard
Humboldt County Bd. of Supervisors
Eureka, CA 95501

Dear Supervisor Pritchard,

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 11/5/94 BY SP-5ci/DJ

In your recent interview with KMUD news you stated that the alternative to violence was for people to sit down and talk things out. This, of course, followed your unfortunate remark at the supervisors meeting of April 23 in which you said "When you keep taking food out of people's mouths, somebody's going to get killed."

In our own conversation the week after, you and I discussed whether we should make preventing violence an agenda item. Later, you left a phone message for me that asked me to write you requesting to be put on the agenda. This letter constitutes that request.

That desire to meet, however, must be mutual. If the Board of Supervisors wants to know what Earth First! is up to, it should call Earth First! to appear before it rather than idly speculate. There are hundreds, if not thousands of Earth First! supporters in Humboldt County, especially in the second district. We're not hard to find.

In addition, if you feel that some of your friends in the timber industry are about to kill environmentalists, as almost occurred last year when [redacted] bombed, you should summon them to the supervisor's chambers to air their gripes before things get out of hand.

As you undoubtedly know, the timber industry has announced a "hate them" campaign directed at environmentalists, as outlined by [redacted] at the last Redwood Region Logging Conference. You and I both know as well, that Earth First!ers are not the only targets of death threats--elected officials have been receiving them too, of late. Tensions are extraordinarily high and it behooves the Board to overcome these pressures and provide strong and clear leadership toward a violence-free summer.

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b7c

Your remarks on KMUD that clearly called Redwood Summer activists "terrorists" was not helpful at all. I am a Redwood Summer activist and not only do I resent the name-calling, but I recognize it as part of the same "hate-them" campaign that last year led to the bomb attack [redacted]. I am forwarding a copy of this letter to agent [redacted] of the FBI in Eureka. Surely, you will inform him of any rumblings of violence you hear directed toward environmental activists. By the way, Agent [redacted] assures me officially that we are not terrorists.

I am available to appear before the Board on Tuesday, May 28 and can bring several other activists experienced in documenting and preventing violence. Together we can provide a short, cohesive presentation. You can call or write at the above address and number. Looking forward to hearing from you.

Supervisor Harry Pritchard

Page 2

May 15, 1991



b6
b7C

MENDOCINO COUNTY SHERIFF
2300

1. Day/Date/Time

3. Rept. No.

8/10/85 2349 NRS

85-2261

4. ☒ Felony ☒ Misd. ☐ Infr ☐ 10851
☐ Bicycle ☐ M.P. ☐ Incident
☐ Other

5. Section - Code - Crime
PUBLIC NUISANCE
MISDO CO OED
8.04.080 SHOOTING NEAR
WELLING

6. Classification
OCCUPIED
WELLING

7. Value/Injury
N/A

8. Premises

14. How Offense Committed

19. Instrument/Trick/Force

23. Motive/Type of Property

26. Suspect Said/Peculiarities

29. Trademark

39. Victims Activity

20. Suspect/M.P./Responsible

24. Residence Address

27. Business Address

30. Race 31. Sex 32. D.O.B.

40. Other Suspect Information

11. Age 12. No. 13. S.B.D.

16. Res. Phone

18. Bus. Phone

22. ☐ Booked ☐ Cited
Charges

25. Res. Phone

28. Bus. Phone

41. Vehicle Used - Lic. No. Vin. Year - Make - Model - Color

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 11/5/91 BY SP5 CIP/BJ

NARRATIVE REPORT: PARAGRAPH HEADINGS:

A.) Evidence
G.) Vehicle

B.) Property
H.) Description of Scene

C.) R.P.
D.) Victim

E.) Suspect
F.) Witness

I.) Investigation
J.) Recommendations

☒ Call ☐ Detail ☐ Obs.

Received 8/10/85 2349 NRS
DATE & TIME

Arrived 8/11/85 0014 NRS
DATE & TIME

A - NO EVIDENCE CONTAINED

b6
b7C

B - N/A

C - R/A, -500 TP 160

D - VICTIM

(NO PHONE)

E - N/A

Page 1 of 5 Pages

COPIES SENT TO

☐ C.I.I. ☐ D.A. ☐ Probation

☒ Invest. ☐ Sector

☐ 7000000 1000000 000000

Reporting Deputy

I.D.

Date & Time

☒ Follow-Up ☐ Inactive
☐ Cleared

Reviewed By

I.D.

Date & Time

☐ Indexed ☐ Card Match
☐ Coded ☐ TT Sent/Cncl

FD-6 REV. 12/78

FOR INDICIES CHECKED

PRESS HARD - THE LAST COPY IS YOURS

2

MENDOCINO COUNTY SHERIFF 2300		370PC PUBLIC NUISANCE 42. Section & Code MENDOCINO CO. 2300 8/11/85 SHOOTING NEAR LA VERNE, CALIF.	43. Classification OCUPIED KIDNAPING	44. Rept. No. 85-2261
45. <input checked="" type="checkbox"/> Continuation <input type="checkbox"/> Supplement <input type="checkbox"/> Statement				
<input type="checkbox"/> Other				

PARAGRAPH: A.) Evidence B.) Property C.) R.P. D.) Victim E.) Suspect F.) Witness G.) Vehicle H.) Description of Scene
I.) Investigation J.) Recommendations

F - WTTN - 35

	DOES	
--	------	--

G - H - WIA

b6
b7C

I - INVESTIGATION

ON INDICATED DATE + TIME, DEPUTY [REDACTED] AND I WAS DISPATCHED TO ABOVE LISTED LOCATION REGARDING A DISTURBANCE. ON ARRIVAL I CONTACTED U#1 [REDACTED] WHO ADVISED ON 8/10/85 APPROX 2350 HRS, HE SAID HIS WIFE U#2 WERE INSIDE THEIR RESIDENCE WHEN THEY HEARD THREE TO FOUR GUN SHOTS, THAT SOUNDED LIKE THEY CAME FROM APPROX 50 TO 100 YDS DIRECTLY IN FRONT OF HIS RESIDENCE, AND HE ALSO THOUGHT THAT ONE ROUNDO POSSIBLY HIT HIS RESIDENCE.

VICTIM ADVISED AT THE TIME OF THE SHOOTING HE + HIS WIFE WAS EXTREMELY FEARFUL FOR THEIR LIFE AND FELL TO THE FLOOR FOR BETTER PROTECTION.

AFTER THE GUNSHOTS STOPPED U#1 [REDACTED] ADVISED THAT HE WENT OUTSIDE TO SEE WHO WAS RESPONSIBLE FOR THE SHOTS. ONCE OUTSIDE HE HEARD HIS NEIGHBOR RIN [REDACTED] YELLING AT [REDACTED] AND QUESTIONING HIM AS TO WHAT HE WAS DOING, AND [REDACTED] REPLY WAS HE HAD NOTHING TO DO WITH IT. U#1 [REDACTED] ADVISED THAT HE DID NOT WITNESS WHO DID THE SHOOTING, BUT FEELS THAT [REDACTED] IS

Page 2 of 5 Pages

COPIES SENT TO		Reporting Deputy	I.D.	Date & Time	<input checked="" type="checkbox"/> Follow-Up <input type="checkbox"/> Inactive
<input type="checkbox"/> C.I.I.	<input type="checkbox"/> D.A.	<input type="checkbox"/> Probation	[REDACTED]	8/11/85 2345	<input type="checkbox"/> Cleared
<input checked="" type="checkbox"/> Invest.	<input type="checkbox"/> Sector	P.D. Reviewed By	[REDACTED]	Date & Time	<input type="checkbox"/> Indexed <input type="checkbox"/> Card Match
<input type="checkbox"/>	<input type="checkbox"/>	R# [REDACTED]	8/12/85/0230		<input type="checkbox"/> Coded <input type="checkbox"/> TT Sent/Cncl

370PC PUBLIC NUISANCES OBSTRUCTION

MENDOCINO COUNTY SHERIFF 2300	42. Section & Code 118 NX CO O.D 8/29/85 SHOOTING NEAR DWELLING	43. Classification DWELLING	44. Rept. No. 85-2261
45. <input checked="" type="checkbox"/> Continuation <input type="checkbox"/> Supplement <input type="checkbox"/> Statement	46. Victim/M.P.		
<input type="checkbox"/> Other			

PARAGRAPH: A.) Evidence B.) Property C.) R.P. D.) Victim E.) Suspect F.) Witness G.) Vehicle H.) Description of Scene
I.) Investigation J.) Recommendations

I- INVESTIGATION

RESPONSIBLE DUE TO THE RECENT AND PAST INCIDENTS THEY HAVE BEEN HAVING WITH SUSPECT [REDACTED] AND AT PRESENT TIME HE HAS FILED A COMPLAINT AGAINST SUSPECT [REDACTED] FOR STEALING HIS DOG, AND MISG PROPERTY AND THEY ARE SUPPOSED TO GO TO COURT ON 8/29/85. (NOTES SEE ATTACHED STATEMENTS FROM 1ST & 2ND [REDACTED] WHICH WAS TAKEN BY DEPUTY [REDACTED])

I THEN CONTACTED [REDACTED] AT LOCATION REGARDING THE ABOVE, AND WAS ADVISED HE WAS INSIDE HIS RESIDENCE MAKING COFFEE IN THE KITCHEN WHEN HE HEARD THE GUNSHOTS. HE THEN PROCEEDED TO GO OUTSIDE TO SEE WHAT THE DISTURBANCE WAS, AND PRIOR TO GOING OUT SIDE HE HEARD HUNKIE (GUY) SHOOTING AND THEN HE HEARD A DOOR SLAM. ONCE OUTSIDE HE HEARD HIS NEIGHBOR [REDACTED] CALL OUT TO SUSPECT [REDACTED] TELLING HIM HE HAD IT, AND HE HAD HEARD [REDACTED] OC SOMEHOWLY REPLY, AND WAS UNABLE TO MAKE OUT WHAT THE REPLY WAS. [REDACTED] ALSO ADVISED THAT HE DID NOT OBSERVE WHO FIRE RESPONSIBLE FOR THE ABOVE INCIDENT BUT FEELS SUSPECT [REDACTED] IS RESPONSIBLE DUE TO THE PAST INCIDENT THEY HAVE BEEN HAVING, AND AT PRESENT TIME, KES'S SUSPECT [REDACTED] IS TRYING TO INTIMIDATE AND CONTROL THE ENTIRE NEIGHBORHOOD TO THE POINT WHERE THEY ARE FEARFUL OF THEIR LIFE. (SEE ATTACHED STATEMENT FROM [REDACTED])

I THEN CONTACTED [REDACTED] REGARDING THE ABOVE

Page 3 of 5 Pages

COPIES SENT TO		Reporting Deputy	I.D.	Date & Time	<input checked="" type="checkbox"/> Follow-Up <input type="checkbox"/> Inactive
<input type="checkbox"/> C.I.I.	<input type="checkbox"/> D.A.	<input type="checkbox"/> Probation	[REDACTED]	8/29/85	<input type="checkbox"/> Cleared
<input checked="" type="checkbox"/> Invest.	<input type="checkbox"/> Sector	Reviewed by	Re #	Date & Time	<input type="checkbox"/> Indexed <input type="checkbox"/> Card Match
<input type="checkbox"/>	<input type="checkbox"/>		8/29/85 230		<input type="checkbox"/> Coded <input type="checkbox"/> TT Sent/Cncl

2

MENDOCINO COUNTY SHERIFF
2300

370 PC PUBLIC NUISANCE OBSTRUCTION

42. Section & Code

MENDO CO 004
SHOOTING NEAR DWELLING

43. Classification

44. Rept. No.

85-2261

45.

☒ Continuation ☐ Supplement ☐ Statement

46. Victim Name

☐ Other

PARAGRAPH:

A.) Evidence

B.) Property

C.) R.P.

D.) Victim

E.) Suspect

F.) Witness

G.) Vehicle

H.) Description of Scene

I.) Investigation J.) Recommendations

I - INVESTIGATION

NOTE: KID CHECKED VICTIM RESIDENCE FOR POSSIBLE
DAMAGE, AND WAS UNABLE TO LOCATE ANY BULLET HOLES.
AND WAS ALSO UNABLE TO LOCATE ANY SHELL CASINGS.

b6

b7C

J - RECOMMENDATION

FORWARD TO INVESTIGATION

Page 5 of 5 Pages

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☐ C.I.I. ☐ D.A. ☐ Probation

☒ Invest. ☐ Sector

P.D. Reviewed By

Re #

8/12/85/0230

Date & Time

8/12/85 0150

Date & Time

☒ Follow-Up ☐ Inactive
☐ Cleared

☐ Indexed ☐ Card Match
☐ Coded ☐ TT Sent/Cncl

370PC PUBLIC NUISANCE, OBSTRUCTION

MENDOCINO COUNTY SHERIFF 2300		42. Section & Code MENDO CO ORDINANCE 8.04.080 SHOOT NEAR.	43. Classification OCCUPIED Dwelling	44. Rept. No. 85-2261
45. <input type="checkbox"/> Continuation <input type="checkbox"/> Supplement <input checked="" type="checkbox"/> Statement		46. Victim/M-R		
<input type="checkbox"/> Other				

PARAGRAPH: A.) Evidence B.) Property C.) R.P. D.) Victim E.) Suspect F.) Witness G.) Vehicle H.) Description of Scene
I.) Investigation J.) Recommendations

This is the STATEMENT OF [REDACTED]
(25) D.O.B. [REDACTED] who lives AT [REDACTED]
[REDACTED], CA, No Phone- [REDACTED]

On 8/10/85 at approx 16:00 hours
I was in my yard pulling weeds when I
saw [REDACTED] Driving out in
a white Buick with a black vinyl roof.
As he drove by my yard he noticed I
was in our yard. He stopped stared
into the yard then quickly backed back
up into his yard. Then around 2350 hrs
I heard three shots yelled at everyone
to hit the floor. I then heard three
more shots which all sounded very
close and like they were hitting the
house or something in the yard. I
turned off the lights and went out
the back door after my husband who
had grabbed his shotgun and a flash
light when I got to my front yard
I saw and heard my neighbor [REDACTED]
yell at [REDACTED] "What are you doing"
and I heard [REDACTED] answer I didn't
do anything. I yelled at [REDACTED] Call
the Sheriff. He answered me on the
way. I was sure that he had [REDACTED]

b6
b7C

Page 1 of 2 Pages

COPIES SENT TO		Reporting Deputy	I.D.	Date & Time	<input checked="" type="checkbox"/> Follow-Up <input type="checkbox"/> Inactive
<input type="checkbox"/> C.I.I.	<input type="checkbox"/> D.A.	<input type="checkbox"/> Probation	[REDACTED]	8/11/85 @ 0200	<input type="checkbox"/> Cleared
<input checked="" type="checkbox"/> Invest.	<input type="checkbox"/> Sector	P.	[REDACTED]	8/12/85 10230	<input type="checkbox"/> Indexed <input type="checkbox"/> Card Match
<input type="checkbox"/>	<input type="checkbox"/>		[REDACTED]		<input type="checkbox"/> Coded <input type="checkbox"/> TT Sent/Cncl

370PC PUBLIC NUISANCE: OBSTRUCTION

MENDOCINO COUNTY SHERIFF 2300		42. Section & Code MENDOCINO COUNTY PUBLIC NUISANCE OBSTRUCTION	43. Classification SECURITY DISTURBANCE	44. Rept. No. 75-2261
45. <input checked="" type="checkbox"/> Continuation <input type="checkbox"/> Supplement <input type="checkbox"/> Statement		46. Victim/M.R. [Redacted]		
<input type="checkbox"/> Other				

PARAGRAPH: A.) Evidence B.) Property C.) R.P. D.) Victim E.) Suspect F.) Witness G.) Vehicle H.) Description of Scene
I.) Investigation J.) Recommendations

4. The shooting because of threats that he made against us and constant harassment by [Redacted] over the 4 weeks since we had pressed charges against him for stealing our dog. He called friends and told them he was going to have us killed by people he knew from out of town. Not a day went by that he didn't make some kind of threat or gesture for the first 2 weeks after he bailed out of jail. The gesture he made were to point at me with his fingers like he had a gun or ~~the~~ giving me the finger [Redacted]

b6
b7C

COPIES SENT TO		Page 2 of 2 Pages	
<input type="checkbox"/> C.I.I.	<input type="checkbox"/> D.A.	<input type="checkbox"/> Probation	
<input checked="" type="checkbox"/> Invest.	<input type="checkbox"/> Sector	<input type="checkbox"/> P.	
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
I.D.		Date & Time	
[Redacted]		8/11/85 @ 0200	
I.D.		Date & Time	
[Redacted]		8/12/85/0230	
<input checked="" type="checkbox"/> Follow-Up		<input type="checkbox"/> Inactive	
<input type="checkbox"/> Cleared			
<input type="checkbox"/> Indexed		<input type="checkbox"/> Card Match	
<input type="checkbox"/> Coded		<input type="checkbox"/> TT Sent/Cncl	

370PC PUBLIC NUISANCE, OBSTRUCTION

MENDOCINO COUNTY SHERIFF
2300

42. Section & Code

MENDO CO ORD
8-02.000 SHOOTING NEAR

43. Classification

OCCUPIED
DATE 11/11/86

44. Rept. No.

85-2261

45. ☐ Continuation ☐ Supplement ☒ Statement

46. Victim/M.R.

☐ Other

PARAGRAPH: A.) Evidence B.) Property C.) R.P. D.) Victim E.) Suspect F.) Witness G.) Vehicle H.) Description of Scene
I.) Investigation J.) Recommendations

This is The STATEMENT OF [redacted]
Age 27 DOB [redacted] who lives at [redacted]
[redacted] CA. NO Phone.

ON 8/10/85 at approx 1600hrs. I SAW [redacted]
[redacted] driving out The Driveway IN A WHITE
Buick with A Black Top, when he stop AT The
CORNER POST OF OUR Front yard AND Looked
RIGHT AT The BOAT^{met} PARKED Along Side of
our Residents. This BOAT belongs To [redacted]

[redacted] our friend across The river who
had [redacted] Build a Hitch on
IT which which was A mess. AND had To
be Redone by [redacted] AND The
Hitch That [redacted] had Build was
Laying Next To The New One. of which [redacted]

[redacted] Refused To van him for Building
I Then Saw [redacted] drove back
To his Resident back ward in AND HASTY
MANNER. Then around 2350hrs I heard
Three Shot's Fire From in front of my
Residents AND heard what I thought then
hitting my house. I then heard three
more Shot's AND again they sounded as
tho they hit my house. I then grabbed my
Shot-gun and went out The rear door. AND while out
Side I heard [redacted] yelling AT [redacted]

[redacted] what are you saying. And
SAID I had nothing To do with this. Page 1

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☐ C.I.I. ☐ D.A. ☐ Probation

☒ Invest. ☐ Sector P.D.

Date & Time

8/11/85 0130

☒ Follow-Up ☐ Inactive
☐ Cleared

Date & Time

8/12/85/0230

☐ Indexed ☐ Card Match
☐ Coded ☐ TT Sent/Cncl

370PC PUBLIC NUISANCE OBSTRUCTION

MENDOCINO COUNTY SHERIFF
2300

42. Section & Code

MISDEO CC 001
3.04 CC0 SHOOTING ARMED

43. Classification

CC-PIED
DISE. IIING

44. Rept. No.

85-2261

45.

☒ Continuation ☐ Supplement ☐ Statement

☐ Other

PARAGRAPH: A.) Evidence B.) Property C.) R.P. D.) Victim E.) Suspect F.) Witness G.) Vehicle H.) Description of Scene
I.) Investigation J.) Recommendations

17. Then I heard my wife yelled at
[redacted] to call the Sheriff's and [redacted]
ANSWER they on their way. I then stay
out in the shadow until the Deputy's
ARRIVE. [redacted]

b6
b7C

Page 2 of 2 Pages

COPIES SENT TO

☐ C.I.I. ☐ D.A. ☐ Probation

☒ Invest. ☐ Sector ☐ P.D.

I.D.

Date & Time

8/11/85 0130

I.D.

Date & Time

☒ Follow-Up ☐ Inactive
☐ Cleared

☐ Indexed ☐ Card Match
☐ Coded ☐ TT Sent/Cncl

370PC PUBLIC NUISANCE, OBSTRUCTION

MENDOCINO COUNTY SHERIFF 2300	42. Section & Code MENDOCINO COUNTY 8.04.08 SHOOTING NEAR ROSELING	43. Classification OCCH 0152 ROSELING	44. Rept. No. 85-2261
45. <input type="checkbox"/> Continuation <input type="checkbox"/> Supplement <input checked="" type="checkbox"/> Statement		46. Victim/M-P.	
<input type="checkbox"/> Other			

PARAGRAPH: A.) Evidence B.) Property C.) R.P. D.) Victim E.) Suspect F.) Witness G.) Vehicle H.) Description of Scene
I.) Investigation J.) Recommendations

STATEMENT RECEIVED FROM [REDACTED] ON
8/11/85 APPROX 0100HRS
ON 8/10/85 APPROX 1145 PM, I WAS IN THE
KITCHEN MAKING COFFEE WHEN I HEARD A GUN
SHOT GO OFF THAT SOUNDED LIKE A 22 CAL, ~~THE~~ NEXT
DOOR, I THEN WENT INTO MY LIVING ROOM, AND
HEARD A SECOND SHOT WENT OFF THAT SOUNDED
LIKE A 357 PISTOL. I THEN WENT OUT SIDE
MY FRONT DOOR TO SEE WHAT WAS GOING ON.
I THEN HEARD A DOOR SLAM NEXT DOOR
AND MY NEIGHBOR [REDACTED] CALL OUT
TO [REDACTED] MY NEXT DOOR NEIGHBOR
TELLING HIM WE HAD IT [REDACTED] THAT THE POLICE
IS ON THEIR WAY, READY OR SOMEBODY ANSWERED
HIM BUT I COULDN'T MAKE OUT WHAT HE SAID.

b6
b7C

STATEMENT WAS GIVEN FREELY WITHOUT ANY
PROMISES OR THREATS OF ANY KIND. STATEMENT IS
TRUE TO BEST OF MY KNOWLEDGE.

COPIES SENT TO		Page	of	Pages
<input type="checkbox"/> C.I.I.	<input type="checkbox"/> D.A.	<input type="checkbox"/> Probation	Date & Time	<input type="checkbox"/> Follow-Up <input type="checkbox"/> Inactive
<input type="checkbox"/> Invest.	<input type="checkbox"/> Sector	P.D.	Reviewed By	<input type="checkbox"/> Cleared
<input type="checkbox"/>	<input type="checkbox"/>	Re #	8/12/85/0230	<input type="checkbox"/> Indexed <input type="checkbox"/> Card Match
			Date & Time	<input type="checkbox"/> Coded <input type="checkbox"/> TT Sent/Cncl

370PC PUBLIC NUISANCE - OBSTRUCTION

MENDOCINO COUNTY SHERIFF 2300	42. Section & Code MENDO CO OCA 8,04. OCA SHOOTING NARC.	43. Classification NARROWING	44. Rept. No. 85-2261
45. <input type="checkbox"/> Continuation <input type="checkbox"/> Supplement <input checked="" type="checkbox"/> Statement			
<input type="checkbox"/> Other			

PARAGRAPH: A.) Evidence B.) Property C.) R.P. D.) Victim E.) Suspect F.) Witness G.) Vehicle H.) Description of Scene
I.) Investigation J.) Recommendations

STATEMENT RECEIVED FROM [REDACTED] ON 8/11/85
AT 0135 HRS.

ON 8/10/85 A-POX 1200 PM, I WENT ASLEEP IN MY
BEDROOM WHICH IS LOCATED ON THE N/E SIDE OF MY
HOUSE, WHEN I WAS AWAKENED BY ^{FOUR} GUN SHOTS
THAT SOUNDED LIKE THEY WERE COMING FROM THE GENERAL
AREA OF [REDACTED] RESIDENCE. I THEN GOT UP
AND WENT OUTSIDE, AND CALLED OUT ASKING WHATS
GOING ON, AND I DON'T REALLY RECALL WHAT
THE REPLY WAS, BUT I SPOKE WITH [REDACTED]
AND HIS FRIEND [REDACTED] WHO WAS OUTSIDE HIS
RESIDENCE.

ALSO NOTE: THE GUN SHOTS THAT I HEARD
SOUNDED LIKE A HIGH CALIB PISTOL. b6
b7C

STATEMENT WAS GIVEN FREELY WITHOUT ANY PROMISES
OR THREATS OF ANY KIND. STATEMENT IS TRUE TO BEST
OF MY KNOWLEDGE. X [REDACTED]

COPIES SENT TO		Page 1 of 1 Pages
<input type="checkbox"/> C.I.I. <input type="checkbox"/> D.A. <input type="checkbox"/> Probation	Date & Time 8/11/85 0200	<input checked="" type="checkbox"/> Follow-Up <input type="checkbox"/> Inactive
<input checked="" type="checkbox"/> Invest. <input type="checkbox"/> Sector	P.D. Reviewed By [REDACTED] I.D. [REDACTED]	<input type="checkbox"/> Cleared
<input type="checkbox"/> [REDACTED] <input type="checkbox"/> [REDACTED]	Date & Time 8/12/85 0230	<input type="checkbox"/> Indexed <input type="checkbox"/> Card Match
		<input type="checkbox"/> Coded <input type="checkbox"/> TT Sent/Cncl'd

370 PC PUBLIC NUISANCE (CONSTRUCTION)

MENDOCINO COUNTY SHERIFF 2300	42. Section & Code <i>11/1/80 PC 000 2,04.000 SHOOTING NEAR</i>	43. Classification <i>DWELLING</i>	44. Rept. No. <i>85-2261</i>
----------------------------------	--	---------------------------------------	---------------------------------

45. ☐ Continuation ☒ Supplement ☐ Statement

☐ Other

46. Victim/M.P.

PARAGRAPH: A.) Evidence B.) Property C.) R.P. D.) Victim E.) Suspect F.) Witness G.) Vehicle H.) Description of Scene
 I.) Investigation J.) Recommendations

A-THRU - H - N/A

I - INVESTIGATION

NOTE: ON ORIGINAL REPORT, CHANGE W TO VICTIM #4.

b6 -
b7C

J - RECOMMENDATION

FORWARD TO INVESTIGATION

Page <i>1</i> of <i>1</i> Pages	
COPIES SENT TO <input type="checkbox"/> C.I.I. <input type="checkbox"/> D.A. <input type="checkbox"/> Probation <input checked="" type="checkbox"/> Invest. <input type="checkbox"/> Sector <input type="checkbox"/> P.D. <input type="checkbox"/> I.D.	Date & Time <i>8/12/85 0310</i> Date & Time <i>8/12/85 0325</i>
<input checked="" type="checkbox"/> Follow-Up <input type="checkbox"/> Inactive <input type="checkbox"/> Cleared <input type="checkbox"/> Indexed <input type="checkbox"/> Card Match <input type="checkbox"/> Coded <input type="checkbox"/> TT Sent/Cncl	

MENDOCINO COUNTY SHERIFF 2300	42. Section & Code 8,04,080 MCC-Shooting	43. Classification Dwelling	44. Rept. No. 85-2261
45. <input type="checkbox"/> Continuation <input checked="" type="checkbox"/> Supplement <input type="checkbox"/> Statement	46. Victim/M.P. [redacted]		
<input type="checkbox"/> Other			

PARAGRAPH: A.) Evidence B.) Property C.) R.P. D.) Victim E.) Suspect F.) Witness G.) Vehicle H.) Description of Scene
I.) Investigation J.) Recommendations

I. INVESTIGATION: (refer to 85-2135 and 85-1953, which were investigated by myself in conjunction with this case)

8/12/85: I was assigned this case by Lt. [redacted] and conducted follow-up interviews with

[redacted] the victim, and the witnesses in this case (refer to the above cases). [redacted]

denied responsibility for the shooting, and denied owning, possessing, or having access to any firearm. I conducted searches of [redacted] property and the area around his property, and was unable to find any firearms or other evidence. None of the victim/witnesses were able to say that they had ever seen [redacted] with a firearm.

I conducted a "wants" check of [redacted] with negative results. I discussed the feasibility of conducting a stake-out of the area around [redacted] house with Lt. [redacted] and we decided that it would be better to maintain close contact with [redacted] Neighbors and respond immediately to any sign of problems. Because of the immediate proximity of [redacted] to [redacted] I have remained in contact with [redacted] since this incident and have monitored the situation.

b6
b7C

J. RECOMMENDATIONS: I advised [redacted] that our investigation of this and any other crimes in the area would be extensively investigated and the persons responsible would be prosecuted if possible. I advised all of [redacted] neighbors that they were to call MCSO at any sign of trouble, and specifically in the case of [redacted] I gave them my home telephone number and requested that they call me personally if they had any problems or questions as to whether they needed an officer to respond. In fact I did later on get a call at home from [redacted] and based on what she told me about [redacted] causing a disturbance I had a deputy respond --I believe it was Dep. [redacted] --and handle the situation. [redacted] later told me that the deputy did a very good job in resolving the problem. [redacted] later told me that on one occasion [redacted] saw [redacted] prowling and on another occasion [redacted] made a veiled threat to her. I told her that we would pursue an investigation and prosecution regarding those incidents if she and [redacted] wished, and after she consulted with her husband she told me that she would rather not-- that the [redacted] were being evicted and hopefully that would solve the problem. File inactive.

Page 1 of 1 Pages

COPIES SENT TO		Reporting Deputy	I.D.	Date & Time	<input type="checkbox"/> Follow-Up <input checked="" type="checkbox"/> Inactive
<input type="checkbox"/> C.I.I.	<input type="checkbox"/> D.A.	<input type="checkbox"/> Probation	[redacted]	10/16/85 1300 Hrs	<input type="checkbox"/> Cleared
<input type="checkbox"/> Invest.	<input type="checkbox"/> Sector	P.D.	[redacted]	10/17/85 1400	<input type="checkbox"/> Indexed <input type="checkbox"/> Card Match
<input type="checkbox"/>	<input type="checkbox"/>				<input type="checkbox"/> Coded <input type="checkbox"/> TT Sent/Cncl

MENDOCINO COUNTY SHERIFF 2300		1. Day/Date/Time <u>SA. 11/14/81 1200 HWY 20 & MARINA DR.</u>		2. Location of Occurrence <u>UKIAH</u>		3. Rept. No. <u>81-334</u>	
4. <input type="checkbox"/> Felony <input checked="" type="checkbox"/> Misd. <input type="checkbox"/> Infr <input type="checkbox"/> 10851 <input type="checkbox"/> Bicycle <input type="checkbox"/> M.P. <input type="checkbox"/> Incident <input type="checkbox"/> Other		5. Section - Code - Crime <u>484 (C.P.C.) THEFT</u>		6. Classification <u>12 volt car BATTERY</u>		7. Value/Injury <u>\$48.00</u>	
8. Premises		17. Business Address <u>SELF EMPLOYED</u>		11. Age <u>35</u>		12. No. <u>0</u>	
14. How Offense Committed		20. Suspect/M.P./Responsible		21. No. <u>0</u>		13. S.B.D. <u>152</u>	
19. Instrument/Trick/Force		24. Residence Address		22. <input checked="" type="checkbox"/> Booked <input type="checkbox"/> Cited Charges <u>484 C.P.C.</u>		16. Res. Phone	
23. Motive/Type of Property		27. Business Address <u>UNEMPLOYED</u>		25. Res. Phone		18. Bus. Phone	
26. Suspect Said/Peculiarities		30. Race <u>W</u> 31. Sex <u>M</u> 32. D.O.B. <u>37 59 12 BEN BEN</u>		28. Bus. Phone		38. Occupation	
29. Trademark		40. Other Suspect Information <u>T.T. "NUTS" ON LT. FOREARM & "DICK" ON LT. BICEPT, D.C.</u>		33. Age <u>37</u> 34. Ht. <u>5'9"</u> 35. Wt. <u>170</u> 36. Hair <u>BEN</u> 37. Eyes <u>BEN</u>		39. Victims Activity	
41. Vehicle Used - Lic. No. Vin. Year - Make - Model - Color		1970 INTRAC TRAVELER 1000, GRN. WITH GRY. TRIMMED, HOOD, FRONT ENDERS & LT. DOORS, L.I.C.		55.			

NARRATIVE REPORT: PARAGRAPH HEADINGS:

A.) Evidence B.) Property C.) R.P. D.) Victim E.) Suspect F.) Witness b6
G.) Vehicle H.) Description of Scene I.) Investigation J.) Recommendations b7C

☐ Call ☐ Detail ☒ Obs.

Received 11/14/81 1210
Date & Time

Arrived 11/14/81 1210
Date & Time

A. EVIDENCE HELD, MARKED, TAGGED, AND PLACED IN UKIAH SL
EVIDENCE LOCKER BY DEPUTY [REDACTED]
ITEM ONE - (1) RUSTY "440 CHANNELLOCK" Pliers.
B. PROPERTY (STOLEN & RECOVERED)
ITEM ONE - (1) "NAPA" MODEL 3455, 12 VOLT CAR
BATTERY, RED TOP/WHITE CASING. ESTIMATED VALUE \$48.00
C. R.P. IS THIS REPORTING OFFICER.
D.E. N/A.
F. WIT. #1 [REDACTED] WMA/29, MENDOCINO CO. DEPUTY
SHERIFF (UKIAH OFFICE) I.D. # [REDACTED]
G-H. N/A.
I. INVESTIGATION - WHILE DRIVING W/B ON HWY 20 AT
MARINA DR. IN A MARKED SHERIFF'S UNIT, THIS
R/P OBSERVED TWO VEHICLES PARKED ADJACENT
TO EACH OTHER, (FACING N/B) IN THE

Page 1 of 4 Pages

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☐ Invest. ☐ Sector P.
☐ ☐

Reporting Deputy

I.D.

Date & Time

☐ Follow-Up ☐ Inactive
☒ Cleared
☐ Indexed ☐ Card Match
☒ Coded 11/15/81 ☐ TT Sent/Cncld

MENDOCINO COUNTY SHERIFF 2300	42. Section & Code 484(a) P.C.	43. Classification 12 V CAR BATTERY	44. Rept. No. 81-334
45. <input checked="" type="checkbox"/> Continuation <input type="checkbox"/> Supplement <input type="checkbox"/> Statement <input type="checkbox"/> Other		46. Victim/Offender <div style="border: 1px solid black; height: 20px; width: 100%;"></div>	
PARAGRAPH: A.) Evidence B.) Property C.) R.P. D.) Victim E.) Suspect F.) Witness G.) Vehicle H.) Description of Scene I.) Investigation J.) Recommendations			

PARKING LOT OF THE LOCATION. THE ENGINE HOODS OF BOTH VEHICLES WERE OPEN. THE EAST-PARKED VEHICLE WAS A WHITE '63 FORD FALCON STATION WAGON (LIC. [REDACTED] - BELONGING TO "V"). THE OTHER VEHICLE WAS A GRN. & PRIMERED TO INT'L TRAVEL ALL (LIC. [REDACTED] - BELONGING TO "S").

R/D OBSERVED THE "S" STOOPED OVER INTO THE ENGINE COMPARTMENT OF THE WHT. FORD SWG. SUDDENLY RAISE UP AND TURN SIDEWAYS, HOLDING THE ABOVE INDICATED CAR BATTERY IN BOTH HANDS. HE TOOK A COUPLE OF STEPS FORWARD (N/B) AND PLACED THE BATTERY ON THE GROUND IN FRONT OF THE CAR. AS R/D DROVE PAST THE "S", HE OBSERVED THE "S" CLOSE THE HOOD OF THE WHT. FORD SWG. R/D HAS NEVER SEEN THE "S" BEFORE BUT IMMEDIATELY RECOGNIZED THE WHT. FORD SWG. AS BELONGING TO "V" [REDACTED] A GOOD FRIEND OF THIS R/D'S FAMILY.

AS R/D WAS EXECUTING A U-TURN TO INVESTIGATE, THE "S" LOOKED IN R/D'S DIRECTION THEN SUDDENLY WALKED TOWARDS THE GRN. INT'L TRAVEL ALL. WHEN R/D APPROACHED, THE "S" TOOK THE ABOVE GR. HND PLIERS (WHICH WERE IN HIS RT. HAND) AND PLACED THEM IN HIS RT./REAR PANT'S POCKET.

R/D ARRESTED THE "S" FOR THE ABOVE CHARGE. WHEN PLACING THE HANDCUFFS ON THE "S", HE TALKED, "I WASN'T STEALING THAT BATTERY, I WAS JUST GOING TO BORROW IT." AFTER HE WAS PLACED IN THE RADIO CAR HE SPONTANEOUSLY SAID, "MY

COPIES SENT TO <input type="checkbox"/> C.I.I. <input type="checkbox"/> D.A. <input type="checkbox"/> Probation <input type="checkbox"/> Invest. <input type="checkbox"/> _____ Sector <input type="checkbox"/> _____	Reporting Deputy I.D. <div style="border: 1px solid black; height: 60px; width: 100%;"></div>	Date & Time Page 2 of 4 Pages <div style="display: flex; justify-content: space-between;"> <div style="width: 45%;"> <input type="checkbox"/> Follow-Up <input type="checkbox"/> Inactive <input checked="" type="checkbox"/> Cleared <input type="checkbox"/> Indexed <input type="checkbox"/> Card Match <input type="checkbox"/> Coded <input type="checkbox"/> TT Sent/Cncl'd </div> <div style="width: 45%; text-align: center;"> ARREST </div> </div>
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MENDOCINO COUNTY SHERIFF 2300		42. Section & Code 484 (a) P.C.	43. Classification 12 V CAR BATTERY	44. Rept. No. 91-3344
45. <input checked="" type="checkbox"/> Continuation <input type="checkbox"/> Supplement <input type="checkbox"/> Statement		46. Victim/M.P. <div style="border: 1px solid black; height: 20px; width: 100%;"></div>		
<input type="checkbox"/> Other		b6 b7C		

PARAGRAPH: A.) Evidence B.) Property C.) R.P. D.) Victim E.) Suspect F.) Witness G.) Vehicle H.) Description of Scene
I.) Investigation J.) Recommendations

CAR WAS A BAD BATTERY. I NEEDED A BATTERY TO GET ME TO MY BROTHER'S HOME. HE JUST LIVES TWO BENDS DOWN THE ROAD (APPROX. 3/4 OF A MILE EAST OF LOCATION). IT SHOULD BE NOTED THAT THIS THEFT OCCURRED IN BRIGHT DAYLIGHT. A BATTERY IS ONLY NECESSARY TO START AN ENGINE AND RUN THE LIGHTS. ONCE A CAR ENGINE IS STARTED, A BATTERY IS NOT NEEDED FOR OPERATION OF THE CAR.

FURTHERMORE THE "S" COULD HAVE EASILY WALKED TO HIS BROTHER'S RESIDENCE FROM THE LOCATION. THERE WAS LIGHT TRAFFIC ON THE ROAD AND NO RAIN.

R/D ADVISED THE "S" OF HIS MIRANDA RIGHTS, WHICH HE STATED HE UNDERSTOOD AND WAIVED. WHEN ASKED IF HE WANTED TO SAY ANYTHING FURTHER HE RESPONDED, "I KNOW WHAT THIS MIGHT LOOK LIKE TO YOU OFFICER BUT I'M NO THIEF. I WAS GOING TO BRING THE BATTERY BACK AFTER I CHARGED MINE AT MY BROTHER'S."

R/D AND W#1 WHO HAD RESPONDED TO THE LOCATION, OBSERVED THAT THE CABLE TO THE NEGATIVE TERMINAL OF THE BATTERY IN "S'S" VEHICLE WAS DISCONNECTED.

R/D CHECKED THE TERMINALS ON THE BATTERY CABLE ENDS OF "V" VEHICLE, COMPARING FRESH INDENTATIONS ON THEM TO THE JAWS OF THE EV. HELD PLIERS. THEY MATCHED UP.

THE "S" WAS TRANSPORTED AND BOXED		Page 3 of 4 Pages
COPIES SENT TO	Reporting Deputy	I.D.
<input type="checkbox"/> C.I.I. <input type="checkbox"/> D.A. <input type="checkbox"/> Probation <input type="checkbox"/> Invest. <input type="checkbox"/> Sector <input type="checkbox"/>	<div style="border: 1px solid black; height: 60px; width: 100%;"></div>	Date & Time <input type="checkbox"/> Follow Up <input type="checkbox"/> Inactive <input checked="" type="checkbox"/> Cleared ARREST Date & Time <input type="checkbox"/> Indexed <input type="checkbox"/> Card Match <input type="checkbox"/> Coded <input type="checkbox"/> TT Sent/Cncl'd

MENDOCINO COUNTY SHERIFF 2300		42. Section & Code <i>484/C.P.C.</i>	43. Classification <i>12V.</i> <i>CAR BATTERY</i>	44. Rept. No. <i>81-334</i>
45. <input checked="" type="checkbox"/> Continuation <input type="checkbox"/> Supplement <input type="checkbox"/> Statement		46. Victim/M.P. <div style="border: 1px solid black; height: 20px; width: 100%;"></div>		
<input type="checkbox"/> Other				

PARAGRAPH: A.) Evidence B.) Property C.) R.P. D.) Victim E.) Suspect F.) Witness G.) Vehicle H.) Description of Scene
 I.) Investigation J.) Recommendations

*AT COUNTY JAIL. WHILE THERE, THE "S" RETARD AND
 SIGNED THE RIGHTS WAIVER FORM AND SIGNED THE
 ACCOMPANYING STATEMENT.
 J. RECOMMENDATIONS - CLEARED BY ARREST. FILE
 WITH D.A.*

b6
b7C

COPIES SENT TO			Reporting Deputy	I.D.	Date & Time	Page <i>4</i> of <i>4</i> Pages
<input type="checkbox"/> C.I.I.	<input type="checkbox"/> D.A.	<input type="checkbox"/> Probation	<div style="border: 1px solid black; width: 150px; height: 50px;"></div>	<div style="border: 1px solid black; width: 100px; height: 50px;"></div>	Date & Time <i>1/15/81</i>	<input type="checkbox"/> Follow-Up <input type="checkbox"/> Inactive
<input type="checkbox"/> Invest.	<input type="checkbox"/> _____	Sector _____				<input checked="" type="checkbox"/> Cleared <i>ARREST</i>
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>				<input type="checkbox"/> Indexed <input type="checkbox"/> Card Match
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>				<input type="checkbox"/> Coded <input type="checkbox"/> TT Sent/Cncld

FD-7 REV. 12/78

PRESS HARD — THE LAST COPY IS YOURS

STATEMENT

MENDOCINO COUNTY SHERIFF 2300	42. Section & Code	43. Classification	44. Rept. No. 81-3341
45. <input type="checkbox"/> Continuation <input type="checkbox"/> Supplement <input checked="" type="checkbox"/> Statement <input type="checkbox"/> Other	46. Victim/M.P.		

PARAGRAPH: A.) Evidence B.) Property C.) R.P. D.) Victim E.) Suspect F.) Witness G.) Vehicle H.) Description of Scene
 I.) Investigation J.) Recommendations

THE FOLLOWING IS THE STATEMENT OF [REDACTED]
 [REDACTED] D.O.B. [REDACTED] TAKEN ON SAT. 11/14/81
 AT COUNTY JAIL.

I WAS DRIVING IN MY VEHICLE (1970 INT'L HARVESTER
 TRAVEL ALL, CAL. LIC. [REDACTED]) EAST BOUNDS ON HWY 20 FROM
 WILLITS ON MY WAY TO VISIT MY BROTHER,
 [REDACTED] WHO LIVES OFF HWY 20 AND
 MY VEHICLE WAS RUNNING VERY POORLY DUE TO A
 BAD BATTERY. I SAW THIS WHITE FORD FAUCON
 STATION WAGON PARKED IN THE PARKING LOT ON HWY 20
 AND MARINA DR. AND DECIDED TO STOP AND BORROW
 THE BATTERY TO HELP ME GET TO MY BROTHER'S, WHERE
 I COULD CHARGE MY BATTERY. I DISCONNECTED
 THE BATTERY TERMINALS OF THE FORD STATION
 WAGON AND REMOVED THE BATTERY WHEN THE
 DEPUTY DROVE UP. I DIDN'T HAVE ANY
 JUMPER CABLES TO HELP CHARGE MY BATTERY.
 I WASN'T STEALING THE BATTERY. I WAS
 JUST GOING TO BORROW IT THEN RETURN IT
 AFTER I GOT MY VEHICLE'S BATTERY
 CHARGED. MY VEHICLE IS THE LAWFUL
 PROPERTY OF MY COMMON-LAW WIFE [REDACTED]

THE ABOVE IS TRUE AND CORRECT AND
 I GIVE THE STATEMENT FREELY.
 [REDACTED] 11-14-81

COPIES SENT TO <input type="checkbox"/> C.I.I. <input type="checkbox"/> D.A. <input type="checkbox"/> Probation <input type="checkbox"/> Invest. <input type="checkbox"/> Sector <input type="checkbox"/> P.D.		Reporting Deputy I.D. [REDACTED] I.D. [REDACTED]	Page 1 of 1 Pages Date & Time [REDACTED] Date & Time [REDACTED]	<input type="checkbox"/> Follow-Up <input type="checkbox"/> Inactive <input type="checkbox"/> Cleared <input type="checkbox"/> Indexed <input type="checkbox"/> Card Match <input type="checkbox"/> Coded <input type="checkbox"/> TT Sent/Cncl'd
--	--	---	---	--

FD-7 REV. 12/78

PRESS HARD — THE LAST COPY IS YOURS

1

YOUR RIGHTS

Time completed 1313
Time started 1310
Total time 3

Place UKIAH S/O JAILDate 11-14-81Person giving admonishment

Before you are asked any questions, you must understand your rights.

1. You have the right to remain silent.
2. Anything you say can and will be used against you in a court of law.
3. You have the right to talk to a lawyer and have him present with you while you are being questioned.
4. If you cannot afford to hire a lawyer one will be appointed to represent you before any questioning, if you wish one.

1. Do you understand each of these rights I have explained to you?

YES
(Yes or No)

b6
b7C

2. Having these rights in mind, do you wish to talk to us now without the presence of an attorney?

YES.
(Yes or No)

WAIVER

I have read the statement of my rights shown above. I understand what my rights are. I am willing to answer questions and make a statement. I do not want a lawyer at this time. I understand and know what I am doing. No promises or threats have been made to me and no pressure of any kind has been used against me.

Witness: Signed:

Witness: _____

Time: 1313

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 11/5/91 BY SP-5 C/B

Memorandum



To : SAC, SAN FRANCISCO (174A-SF-90788) (P) Date 5/31/91

From : SSA [REDACTED] (SQD 13)

b6
b7c

Subject: UNSUB, aka;
JUDITH BEATRICE BARI - VICTIM
DARRYL REED CHERNEY - VICTIM
BOMBING OF 1981 SUBARU STATION WAGON
CALIFORNIA LICENSE 2NWX290
OAKLAND, CALIFORNIA
5/24/90
EID
OO: SAN FRANCISCO

CREATION OF SUB-FILES

The following sub-files are to be created for captioned case:

A sub-file for crime scene FD-302s.

A sub-file for interview FD-302s.

These sub-files should be given the next available letters.

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 11/5/91 BY SP-5 CIB/OTF

- ① - 174A-SF-90788
 - 1 - 174A-SF-90788 Sub G (Crime Scene FD-302s)
 - 1 - 174A-SF-90788 Sub H (Interview FD-302s)
- PJW/dld
(3)

*Subs 2-Open
at 11/11/91
for Subs*

SEARCHED GEN	FOIMS
SERIALIZED SEARCHED	INDEXED
FILED	
MAY 31 1991	
FBI - SAN FRANCISCO	

174A-SF-90788-122

Memorandum



To : SAC, SAN FRANCISCO (174A-SF-90788) (SQ 13) Date 5/31/91
(P)

From : SA [redacted]

Subject: UNSUBS;
JUDITH BEATRICE BARI - VICTIM;
DARRYL REED CHERNEY - VICTIM;
BOMBING OF 1981 SUBARU STATION WAGON,
CALIFORNIA LICENSE PLATE NUMBER 2NWX290,
OAKLAND, CALIFORNIA;
5/24/90;
EID
OO: SAN FRANCISCO

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 11/5/91 BY SP-5 CIB/BJ

For the information of the file, on 5/22/91, [redacted]
[redacted] of [redacted] California, telephone number [redacted]
[redacted] contacted the FBI advising that he had received a call
at his residence, on 5/17/91, from [redacted] of television
station KQED, who contacted [redacted] inquiry about his having
written the Zoro letters and his [redacted]
allegations. [redacted] stated that he advised [redacted] that he was
not the author of the Zoro letters, and that he then had a long
conversation with [redacted] about his investigation into the
incident in preparation for his presentation on 5/24/91.

[redacted] stated that at one point [redacted] said, "Well this
is off the record," but that his main suspect is [redacted]
JUDY BARI [redacted] The predication for this belief was the
fact that [redacted] had an ongoing [redacted]
[redacted] also made the statement that
[redacted] had a hand in the burning down of [redacted] building
in [redacted] County ten years ago.

b6
b7c

[redacted] commented, that as a journalist himself, he finds
it rather "goofy" that a reporter calls you at home and then says,
"This part is off the record." [redacted] added that he recalls
asking [redacted] how he is going to present information to support
his accusation and made the comment to SA [redacted] that [redacted] may
have to make his accusation by innuendo.

[redacted] stated that after talking to [redacted] he felt
obligated to advise [redacted] of [redacted] intentions and so
located him and talked to him on the telephone.

② - San Francisco
SMB/kkc
(2)



SEARCHED GEN	FOIMS
SERIALIZED SEARCHED	INDEXED
FILED	
MAY 31 1991	
FBI - SAN FRANCISCO	

123
174A-SF-90788-207

174A-SF-90788
SMB/kkc

[redacted] also stated he contacted a friend of his who had known [redacted] when [redacted] was the [redacted] University "Daily" 20 years ago.

b6
b7C

SA [redacted] advised [redacted] that he would furnish the above information to SA [redacted]

Memorandum



To : SAC, SAN FRANCISCO (174A-SF-90788) (P) ^{Date} 5/31/91

From : SA [] SRAF

Subject: JUDITH BEATRICE BARI;
BOMBING MATTER;
OO: SAN FRANCISCO

On 5/26/91, [] (DOB [], telephone [] telephonically advised the following:

Recently he had observed a television show which depicted several individuals involved in the supra case, including one []

[] who is a commercial [] fisherman in the Ft. Bragg, California, area, recognized [] as the individual who had made anonymous threatening phone calls to both [] and an unnamed seafood processor with whom [] dealt in approximately 1987. [] advised that he and the processor were able to determine that it was [] making the phone calls, and confronted him with this information during one of the calls; [] became extremely nonplussed. [] characterized [] as an individual who could be extremely aggressive, as long as his identity was not known to the victim of his aggression, but someone who would change moods radically once found out.

b6
b7c

Additionally, [] advised that he is aware that [] (phonetic) is [] and believes she might be willing to speak with law enforcement authorities regarding [] states that he, too, is willing to discuss his situation vis-a-vis [] with the FBI.

ALL INFORMATION CONTAINED

HEREIN IS UNCLASSIFIED

DATE 11/5/91 BY SP-5 ci/bx

SSA

SEARCHED	INDEXED
SERIALIZED	FILED
JUN 5 1991	
FBI - SAN FRANCISCO	

(2) - 174A-SF-90788

JHT/vk

(2)

agent

174A-SF-90788-124

Memorandum



To : SAC, SAN FRANCISCO (174A-SF-90788) (P) Date 6/3/91

From : SA [redacted] (SQD 13)

Subject: UNSUBS;
JUDITH BEATRICE BARI - VICTIM
DARRYL REED CHERNEY - VICTIM
BOMBING OF 1981 SUBARU STATION WAGON
CALIFORNIA LICENSE 2NWX290
5/24/90
EID
OO: SAN FRANCISCO

On 5/13/91, [redacted] (ph) telephonically contacted the reporting Agent and advised that he had information that he would like to report to the FBI. [redacted] advised that he lives in Covelo, California and does not have a telephone. He advised that he has furnished the information to Sergeant [redacted] of the Willits Police Department. He suggested the reporting Agent contact [redacted] and [redacted] would recontact this Agent at 4:45 p.m. on 5/16 or 5/17/91.

b6
b7c

Sergeant [redacted] Willits PD advised that he had spoken at length to [redacted] furnished him with a very lengthy story about a group of individuals who live the lives of survivalists in the woods of Mendocino County but none of what [redacted] furnished had any connection with the captioned bombing of the individuals involved in this matter. Some of the information furnished by [redacted] seemed farfetched.

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 11/5/91 BY SP-5ci/btf

JEC/dld
(2) *ld*

SEARCHED	GEN	FOIMS
SERIALIZED	SEARCHED	INDEXED
FILED		
JUN 10 1991		
FBI - SAN FRANCISCO		

174A-SF-90788 - 21
125

FBI

TRANSMIT VIA:

☐ Teletype
☐ Facsimile
☒ AIRTEL

PRECEDENCE:

☐ Immediate
☐ Priority
☐ Routine

CLASSIFICATION:

☐ TOP SECRET
☐ SECRET
☐ CONFIDENTIAL
☐ UNCLAS E F T O
☐ UNCLAS

Date 6/5/91

TO : DIRECTOR, FBI
 (ATTN: BEHAVIORAL SCIENCE UNIT, FBI ACADEMY,
 QUANTICO, SSA [REDACTED] AND LATENT FINGERPRINT
 SECTION, FBI LABORATORY)

FROM : SAC, SAN FRANCISCO (174A-SF-90788) (P) (SQD 13)

SUBJECT : UNSUB(s);
 JUDITH BEATRICE BARI - VICTIM
 DARRYL REED CHERNEY - VICTIM
 BOMBING OF A 1981 SUBARU STATION WAGON
 CALIFORNIA LICENSE 2NWX290
 5/24/90
 EID
 OO: SAN FRANCISCO

b6
b7c

Re San Francisco airtel to the Bureau titled as
 above, dated 8/13/90.

REQUEST OF THE BUREAU - LATENT FINGERPRINT SECTION

The Latent Fingerprint Section is requested to
 examine the original enclosed letter which begins "This so
 called act of vandalism" for latent prints and compare to any
 prints which have been developed in captioned case.

ALL INFORMATION CONTAINED
 HEREIN IS UNCLASSIFIED
 DATE 11/5/91 BY SP-5 CIB/DF

4 - Bureau (Enc. 3)
 (2 - Quantico) (Enc. 1)
 ② - San Francisco
 JEC/dld
 (6) *des*

Searched _____
 Indexed _____
 Filed _____
 FBI - _____

ENCLOSURES SENT

6/10/91
 VIA R499909892.
 Approved: _____
 See: 174-SF-90837-181,2

Transmitted _____

(Number) (Time)

Per _____

126
 174A-SF-90788-213

174A-SF-90788
JEC/dld

REQUEST OF THE BUREAU - BEHAVIORAL SCIENCE UNIT (BSU) -
QUANTICO

The Behavioral Science Unit is requested to compare the enclosed letter which begins "This so called act of vandalism", which was found at the below described incident, to the "Lord's Avenger" letter which was enclosed with the referenced airtel and determine if the two letters have been written by the same individual.

Enclosed for the Bureau are the original and one copy of a letter which begins "This so called act of vandalism", and one copy of the Petaluma PD report pertaining to this letter.

On 9/22/90, the U.S. Army Recruiting Center, 620 E. Washington Street, Petaluma, California was the victim of vandalism which included spray painted symbols and phrases on the windows and sidewalk in front of the center. A typewritten letter was left under the windshield wiper of the U.S. Government vehicle parked in front of the office. The letter contained information regarding the vandalism to the office. The letter has been processed by the Petaluma Police Department using ninhydrin spray in an attempt to identify latent fingerprints.

Memorandum



To : SAC, SAN FRANCISCO (174A-SF-90788) (P) Date 6/6/91

From : SA [redacted] (SQUAD 13)

Subject: UNSUBS;
JUDI BEATRICE BARI - VICTIM;
DARRYL REED CHERNEY - VICTIM;
BOMBING OF 1981 SUBURU STATION WAGON,
CALIFORNIA LICENSE 2NWX290,
OAKLAND, CALIFORNIA,
5/24/90;
EID;
OO: SAN FRANCISCO

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 11/5/91 BY SP-5 CIP/BJ

On 5/22/91, SA [redacted] received an anonymous telephone call at the Concord Resident Agency from an individual who sounded like a white male. The caller said that he did not wish to disclose his identity, although he had previously had some contact with SA [redacted] of the FBI in Santa Cruz, California. The caller advised that a newspaper article, which appeared today describing a lawsuit against the FBI by JUDI BARI and DARRYL CHERNEY, had spurred him to call with the following information:

He has been associated with JUDI BARI, [redacted] Earth First!, and other radical environmentalists for the past few years. He is convinced [redacted] and BART [redacted]

b6
b7C

Associates of [redacted] and BARI who have engaged in acts of sabotage, including tree spiking and damage to heavy equipment belonging to the lumber industry, and who may not be known to the FBI include [redacted] (phonetic), [redacted] and [redacted]. They all work for [redacted] as employees of [redacted] Tree Service, which is believed to be located in [redacted] California or nearby.

This group, primarily [redacted] and [redacted] have utilized their contracts to clear branches from power lines for utility companies to plan and conduct sabotage against the timber and power industry. One method to gain access to assess potential sabotage sites has been for [redacted] and the others to work for logging companies or power companies for a short time, even for free. As a result of their contracts with the

VSD/ldl *ell*

(2) *VSD* cc to [redacted] (info)

SEARCHED GEN	INDEXED
SERIALIZED SEARCHED	INDEXED
FILED	
JUN 11 1991	
FBI - SAN FRANCISCO	

174A-6F-90788-212-127

174A-SF-90788
VSD/ldl

power companies [] has master keys to many of the power companies' access gates.

About two years ago, the caller was asked by [] about the effect of putting nails in a homemade bomb in the belief that the caller had some demolition experience.

The caller also recalls [] and the others talking about plans to blow up power poles in the Santa Cruz area. [] has also bragged about having drained the oil out of heavy equipment belonging to logging and power companies.

The caller advised that he has it on a first-hand basis that [] and the others are trafficking in narcotics in the [] California area in order to raise money to support their extremist environmentalist activities, although they are, for the most part, not users themselves. [] is also currently active organizing people in [] Valley, California.

b6
b7c

The caller described [] as a white male, about 35 years of age, 5' 10", and slender. Another environmental extremist is a white female in her mid-30s by the name of [] (LNU), who lives in her blue Datsun pickup with a camper shell. She often stays at the residence of [] but travels frequently on behalf of Earth First! between Arizona, Santa Cruz, and the Northwest recruiting people.

The caller repeated his insistence upon remaining anonymous while wishing to furnish information about illegal activities of environmental extremists. He agreed to recontact SA [] in the future if he has any additional information.

ACTION:

Route to Sas [] and []

Memorandum



To : SAC, SAN FRANCISCO (174A-SF-90788) (P) Date 6/6/91

From : SSA [REDACTED] (SQD 13)

Subject: UNSUB; aka
JUDITH BEATRICE BARI - VICTIM
DARRYL REED CHERNEY - VICTIM
BOMBING OF 1981 SUBARU STATION WAGON
CALIFORNIA LICENSE 2NWX290
5/24/90
EID
OO: SAN FRANCISCO

b6
b7C

REVIEW OF EVIDENCE

On 5/31/91, SSA WEBB, SA [REDACTED] and SA [REDACTED] retrieved all of the physical evidence from the BARI/CHERNEY bombing crime scene from the Bulky Exhibit Room. All of this evidence was laid out in the office conference room, examined as to origin and location. Additionally, it was determined that all of the evidence had been returned from the FBI Laboratory in December, 1990, however, had not been placed back into the original boxes where it had been placed at the time of collection. Therefore, all the returned evidence was placed back in the original evidence boxes except for a new evidence box which was created. This particular box contains device components from the improvised explosive device, such as nails, clock parts, wire fragments, etc. A separate list was created and is maintained as part of this memo which indicate which pieces of evidence are contained in this new box of exhibits.

This will allow the case Agent and other interested investigators to be able to look at the device components without having to resort to going through all the other gross exhibits.

Action: For information.

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 11/5/91 BY SP-5 ci/045

PJW/dld
(3) *[Signature]*

SEARCHED	GEN	FOIMS
SERIALIZED	SEARCHED	INDEXED
FILED		
JUN 6 1991		
FBI - SAN FRANCISCO		

[Signature]

174A-SF-90788-128

BARI/CHERNEY BOMBING

	A	B	C	D	E
1			Assembled 5/31/91 from items returned from Lab Exams		
2			174A-SF-90839	Crime Scene	1B
3		Q#	Description	Evidence Box	Origion
4					
5	*	20	Wire & metal fragments	1	3
6					
7					
8	*	22	Wire & yellow sponge fragment	1	3
9					
10					
11	*	24	2 nails & misc debris	1	3
12					
13					
14	*	25	Misc debris w/ yellow sponge	1	3
15					
16					
17	*	28	3 misc pieces of metal	1	3
18					
19					
20	*	32	nails	1	3
21					
22					
23	*	45	1 nail	1	3
24					
25					
26	*	46	cardboard battery backing	1	3
27					
28					
29	*	49	piece of plastic (white)	1	3
30					
31					
32	*	52	clock parts	1	3
33					
34					
35	*	55	part of light bulb	1	3
36					
37					
38	*	56	fragment of metal	1	3
39					
40					
41	*	63	fragments of wire	1	3
42					
43					
44	*	65	fragment of blue material	1	3
45					
46					
47	*Denotes Removed to Device Components			Box	

BARI/CHERNEY BOMBING

	A	B	C	D	E
48			174A-SF-90839	Crime Scene	1B
49		Q#	Description	Evidence Box	Origion
50	*	72	ball bearing	1	3
51					
52					
53	*	82	fragment of wire	1	3
54					
55					
56	*	83	fragment of battery	1	3
57					
58					
59	*	84	fragment of end cap	1	3
60					
61					
62	*	85	debris	1	3
63					
64					
65	*	103	nails	1	3
66					
67					
68	*	120	fragments of battery & wire	2	4
69					
70					
71	*	121	fragment of end cap,	2	4
72			nail, & debris		
73					
74					
75	*	122	fragment of watch, end cap	2	4
76			& debris		
77					
78					
79	*	125	fragments of fiber board	2	4
80					
81					
82	*	135	pipe fragments & 1 nail	2	4
83					
84					
85	*	138	fragment of red wire	4	14
86					
87					
88	*	139	Phillip-head screw & washer	4	14
89					
90					
91	*	140	misc debris	6	5
92					
93					
94					

BARI/CHERNEY BOMBING

	A	B	C	D	E
95			174A-SF-90839	Crime Scene	1B
96		Q#	Description	Evidence Box	Origion
97	*	141	light bulb socket w/ wire	6	5
98					
99					
100	*	142	battery fragment	6	5
101					
102					
103	*	143	2 battery fragments	6	5
104					
105					
106	*	145	battery fragment		
107			(rear seat cushion B)		
108					
109					
110	*	147	end cap fragment	9	
111					
112					
113	*	148	pieces of green & red	9	
114			wire & tape		
115					
116					
117	*	150	battery fragment & debris	9	
118					
119					
120	*	152	nails & fragments of tape	9	
121					
122					
123	*	158	nail	9	
124					
125					
126	*	163	nail	9	
127					
128					
129	*	166	nail	9	
130					
131					
132	*	168	wire fragment	9	
133					
134					
135	*	169	wire fragment	9	
136					
137					
138	*	172	nails & tape	9	
139					
140					
141					

BARI/CHERNEY BOMBING

	A	B	C	D	E
142			174A-SF-90839	Crime Scene	1B
143		Q#	Description	Evidence Box	Origion
144	*	174	nails & tape	9	
145					
146					
147	*	178	nails & tape	9	
148					
149					
150	*	179	nails & tape	9	
151					
152					
153	*	181	switch fragment	9	
154					
155					
156	*	184	end cap fragment	9	
157					
158					
159	*	189	nail & tape	9	
160					
161					
162	*	191	fiberboard & tape	9	
163					
164					
165	*	193	red wire	9	
166					
167					
168	*	196	end cap fragment	9	
169					
170					
171	*	197	nail	9	
172					
173					
174	*	199	metal screw w/ washer	9	
175					
176					
177	*	201	metal fragment	9	
178					
179					
180	*	202	wire w/ tape	9	
181					
182					
183	*	203	nail & tape	9	
184					
185					
186	*	204	nail	9	
187					
188					

BARI/CHERNEY BOMBING

	A	B	C	D	E
189			174A-SF-90839	Crime Scene	1B
190		Q#	Description	Evidence Box	Origion
191	*	208	nails & tape	9	
192					
193					
194	*	209	nails	9	
195					
196					
197	*	212	nails	9	
198					
199					
200	*	218	pipe nipple fragment	9	
201					
202					
203	*	222	end cap fragment	9	
204					
205					
206	*	225	misc car parts	9	
207					
208					
209	*	240	metal itme & wire	10	22
210					
211					
212	*	250	nails, wire, & debris	10	22
213					
214					
215	*	253	metal fragment & fiberboard	10	22
216					
217					
218	*	258	fiberboard	10	22
219					
220					
221	*	260	wire fragment	10	22
222					
223					
224	*	261	ligh switch & base of	10	22
225			light socket		
226					
227					
228	*	262	nails	10	22
229					
230					
231	*	266	end cap fragment	10	22
232					
233	*	267	watch spring	10	22
234					
235					

BARI/CHERNEY BOMBING

	A	B	C	D	E
236			174A-SF-90839	Crime Scene	1B
237		Q#	Description	Evidence Box	Origion
238	*	268	wire fragment	10	22
239					
240					
241	*	269	wire, screw, & metal connecto	10	22
242					
243					
244					
245	*	270	watch fragment	10	22
246					
247					
248	*	271	metal fragment, fiberboard,	10	22
249			& duct tape		
250					
251					
252	*	272	wire fragment, tape & nail	10	22
253					
254					
255	*	273	Duracell battery casing	10	22
256					
257					
258	*	274	black plastic fragment	10	22
259					
260					
261	*	275	metal fragment	10	22
262					
263					
264	*	276	grey duct tape & nail	10	22
265					
266					
267	*	277	grey duct tape & nail	10	22
268					
269					
270	*	278	grey duct tape & nail	10	22
271					
272					
273	*	279	grey duct tape & nail	10	22
274					
275					
276	*	280	nail	10	22
277					
278					
279	*	281	nail	10	22
280					
281					
282					

BARI/CHERNEY BOMBING

	A	B	C	D	E
283			174A-SF-90839	Crime Scene	1B
284		Q#	Description	Evidence Box	Origion
285	*	286	fiberboard fragments	10	22
286					
287					
288	*	292	nail	10	22
289					
290					
291	*	297	fiberboard fragment	10	22
292					
293					
294	*	299	grey duct tape & nail	10	22
295					
296					
297	*	301	metal fragment	10	22
298					
299					
300	*	304	end cap fragment	10	22
301					
302					
303	*	309	pipe nipple fragment	10	22
304					
305					
306	*	314	end cap fragment	10	22
307					
308					
309	*	326	fiberboard & grey duct tape	10	22
310					
311					
312		21	Pipe nipple fragment	1	3
313					
314					
315		23	Metal fragment	1	3
316					
317					
318		26	Carpet & debris	1	3
319					
320					
321		27	Red & green wire insulation	1	3
322					
323					
324		29	1 nail & 1 nut	1	3
325					
326					
327		30	misc debris	1	3
328					
329					

BARI/CHERNEY BOMBING

	A	B	C	D	E
330			174A-SF-90839	Crime Scene	1B
331		Q#	Description	Evidence Box	Origion
332		31	misc debris	1	3
333					
334					
335		33	misc wire	1	3
336					
337					
338		34	misc paper	1	3
339					
340					
341		35	misc debris	1	3
342					
343					
344		36	misc debris	1	3
345					
346					
347		37	pipe fragment & debris	1	3
348					
349					
350		38	misc porcelain fragments	1	3
351					
352					
353		39	misc debris	1	3
354					
355					
356		40	misc debris	1	3
357					
358					
359		41	misc car parts	1	3
360					
361					
362		42	misc items from glove box	1	3
363					
364					
365		43	misc debris	1	3
366					
367					
368		44	wire, tape, & debris	1	3
369					
370					
371		47	2 nails, wire screen, & paper	1	3
372					
373					
374		48	misc debris	1	3
375					
376					

BARI/CHERNEY BOMBING

	A	B	C	D	E
377			174A-SF-90839	Crime Scene	1B
378		Q#	Description	Evidence Box	Origion
379		50	misc porcelain fragments	1	3
380					
381					
382		51	debris	1	3
383					
384					
385		53	1 nail and debris	1	3
386					
387					
388		54	foam from car w/ burn marks	1	3
389					
390					
391		57	misc debris	1	3
392					
393					
394		58	seat cover from passenger	1	3
395			side of vehicle	1	3
396					
397					
398		59	fragments of foil & tape	1	3
399					
400					
401		60	fragments of metal & tape	1	3
402					
403					
404		61	Debris	1	3
405					
406					
407		62	fragment of metal & wire	1	3
408					
409					
410		64	fragments of tape	1	3
411					
412					
413		66	fragments of blue porcelain	1	3
414					
415					
416		67	debris	1	3
417					
418					
419		68	fragments of paper & debris	1	3
420					
421					
422		69	debris	1	3
423					

BARI/CHERNEY BOMBING

	A	B	C	D	E
424			174A-SF-90839	Crime Scene	1B
425		Q#	Description	Evidence Box	Origion
426		70	debris	1	3
427					
428					
429		71	debris	1	3
430					
431					
432		73	fragments of metal	1	3
433					
434					
435		74	carpet	1	3
436					
437					
438		75	fragments of blue material	1	3
439			& debris	1	3
440					
441					
442		76	debris	1	3
443					
444					
445		77	fragments of blue porcelain	1	3
446					
447					
448		78	debris	1	3
449					
450					
451		79	nail	1	3
452					
453					
454		80	debris	1	3
455					
456					
457		81	fragment of battery	1	3
458					
459					
460		86	debris	1	3
461					
462					
463		87	fragments of watch	1	3
464					
465					
466		88	misc debris	1	3
467					
468					
469		89	debris	1	3
470					

BARI/CHERNEY BOMBING

	A	B	C	D	E
471			174A-SF-90839	Crime Scene	1B
472		Q#	Description	Evidence Box	Origion
473		90	debris	1	3
474					
475					
476		91	debris	1	3
477					
478					
479		92	fragments of wood	1	3
480					
481					
482		93	fragments of paper	1	3
483					
484					
485		94	cassette tape entitled	1	3
486			"Guitar Lessons"	1	3
487					
488					
489		95	1 pair of shoes & newspaper	1	3
490					
491					
492		96	debris	1	3
493					
494					
495		97	debris	1	3
496					
497					
498		98	wrench	1	3
499					
500					
501		99	notebook paper, beginning	1	2
502				1	3
503					
504					
505		100	DMV & insurance records	1	3
506			for '81 Subaru in name of	1	3
507			Judy Bari	1	3
508					
509					
510		101	debris	1	3
511					
512					
513		102	misc car parts	1	3
514					
515					
516		104	debris	1	3
517					

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BARI/CHERNEY BOMBING

	A	B	C	D	E
518			174A-SF-90839	Crime Scene	1B
519		Q#	Description	Evidence Box	Origion
520		105	debris	1	3
521					
522					
523		106	blue carpet	2	4
524					
525					
526		107	debris	2	4
527					
528					
529		108	debris	2	4
530					
531					
532		109	misc car parts	2	4
533					
534					
535		110	nail & debris	2	4
536					
537					
538		111	fragment of metal	2	4
539					
540					
541		112	debris	2	4
542					
543					
544		113	debris	2	4
545					
546					
547		114	debris	2	4
548					
549					
550		115	fragments of paper	2	4
551					
552					
553		116	misc car parts	2	4
554					
555					
556		117	debris	2	4
557					
558					
559		118	business card, receipt	2	4
560			& paper tab	2	4
561					
562					
563		119	debris	2	4
564			fragment & debris	2	4

BARI/CHERNEY BOMBING

	A	B	C	D	E
565			174A-SF-90839	Crime Scene	1B
566		Q#	Description	Evidence Box	Origion
567		123	fragments of blue porcelain	2	4
568					
569					
570		124	debris	2	4
571					
572					
573		126	blue carpet	2	4
574					
575					
576		127	debris	2	4
577					
578					
579		128	misc pieces of car	2	4
580					
581					
582		129	misc pieces of metal	2	4
583					
584					
585		130	left Birkenstock shoe	2	4
586					
587					
588		131	misc pieces of fabric	2	4
589					
590					
591		132	pipe fragment & cloth	2	4
592					
593					
594		133	misc items	2	4
595					
596					
597		134	clock back	2	4
598					
599					
600		136	vacuumed debris from car	misc 4	14
601					
602					
603		137	sweepings from tarp	misc 5	13
604					
605					
606		144	debris (rear seat cushion A)	sub f	13
607					
608					
609		146	metal fragment	9	
610					
611					

BARI/CHERNEY BOMBING

	A	B	C	D	E
612			174A-SF-90839	Crime Scene	1B
613		Q#	Description	Evidence Box	Origion
614		149	piece of gray duct tape	9	6
615			& fiberboard		
616					
617					
618		151	wood fragment	9	6
619					
620					
621		153	debris	9	6
622					
623					
624		154	car, seat fragment &	9	6
625			towel fragment		
626					
627					
628		155	wood fragment & debris	9	6
629					
630					
631		156	black plastic fragment	9	6
632					
633					
634		157	debris	9	6
635					
636					
637		159	speaker fragment	9	6
638					
639					
640		160	tape fragment	9	6
641					
642					
643		161	debris	9	6
644					
645					
646		162	metal fragment	9	6
647					
648					
649		164	wood fragment	9	6
650					
651					
652		165	debris	9	6
653					
654					
655		167	metal fragment	9	6
656					
657					
658		170	debris	9	6

BARI/CHERNEY BOMBING

	A	B	C	D	E
659			174A-SF-90839	Crime Scene	1B
660		Q#	Description	Evidence Box	Origion
661		171	metal fragments	9	6
662					
663					
664		173	nails & debris	9	6
665					
666					
667		175	debris	9	6
668					
669					
670		176	metal fragment	9	6
671					
672					
673		177	debris	9	6
674					
675					
676		180	gray dect tape	9	6
677					
678					
679		182	debris	9	6
680					
681					
682		183	debris	9	6
683					
684					
685		185	partial matchpack	9	6
686					
687					
688		186	debris	9	6
689					
690					
691		187	metal fragment	9	6
692					
693					
694		188	wood fragment	9	6
695					
696					
697		190	debris	9	6
698					
699					
700		192	wood fragments	9	6
701					
702					
703		194	metal latch	9	6
704					
705					

BARI/CHERNEY BOMBING

	A	B	C	D	E
706			174A-SF-90839	Crime Scene	1B
707		Q#	Description	Evidence Box	Origion
708		195	metal item	9	6
709					
710					
711		198	wood fragment	9	6
712					
713					
714		200	fiberboard fragment	9	6
715					
716					
717		205	wood fragment	9	6
718					
719					
720		206	metal latch	9	6
721					
722					
723		207	pipe fragment	9	6
724					
725					
726		210	wood fragments	9	6
727					
728					
729		211	debris	9	6
730					
731					
732		213	metal piece	9	6
733					
734					
735		214	debris	9	6
736					
737					
738		215	debris	9	6
739					
740					
741		216	wire	9	6
742					
743					
744		217	debris	9	6
745					
746					
747		219	wood fragment	9	6
748					
749					
750		220	wood fragment	9	6
751					
752					

BARI/CHERNEY BOMBING

	A	B	C	D	E
753			174A-SF-90839	Crime Scene	1B
754		Q#	Description	Evidence Box	Origion
755		221	debris	9	6
756					
757					
758		223	wood debris	9	6
759					
760					
761		224	pipe fragments & debris	9	6
762					
763					
764		226	car parts	10	22
766					
767					
768		227	plastic fragment	10	22
769					
770					
771		228	metal item	10	22
772					
773					
774		229	car parts	10	22
775					
776					
777		230	matal washer	10	22
778					
779					
780		231	debris	10	22
781					
782					
783		232	debris	10	22
784					
785					
786		233	debris	10	22
787					
788					
789		234	metal fragment & debris	10	22
790					
791					
792		235	wire & black plastic tape	10	22
793					
794					
795		236	radiator cap	10	22
796					
797					
798		237	debris	10	22
799					
800					

BARI/CHERNEY BOMBING

	A	B	C	D	E
801			174A-SF-90839	Crime Scene	1B
802		Q#	Description	Evidence Box	Origion
803		238	debris	10	22
804					
805					
806		239	grey duct tape & debris	10	22
807					
808					
809		241	yellow foam material	10	22
810					
811					
812		242	fiberglass & yellow foam	10	22
813			material		
814					
815					
816		243	grey duct tape	10	22
817					
818					
819		244	solderless connector	10	22
820					
821					
822		245	key	10	22
823					
824					
825		246	metal cap & gray plastic	10	22
826					
827					
828		247	wood fragment	10	22
829					
830					
831		248	debris	10	22
832					
833					
834		249	debris	10	22
835					
836					
837		251	debris	10	22
838					
839					
840		252	debris	10	22
841					
842					
843		254	camouflage hat & debris	10	22
844					
845					
846		255	misc debris	10	22
847					

BARI/CHERNEY BOMBING

	A	B	C	D	E
848			174A-SF-90839	Crime Scene	1B
849		Q#	Description	Evidence Box	Origion
850		256	debris	10	22
851					
852					
853		257	end cap & metal fragment	10	22
854					
855					
856		259	grey duct tape & debris	10	22
857					
858					
859		263	blue procelain fragment	10	22
860					
861					
862		264	speaker fragment	10	22
863					
864					
865		265	"Earth First" matchbook	10	22
866					
867					
868		282	black plasitic item	10	22
869					
870					
871		283	metal fragment	10	22
872					
873					
874		284	misc car parts	10	22
875					
876					
877		285	blue fabric	10	22
878					
879					
880		287	metal fragments	10	22
881					
882					
883		288	debris	10	22
884					
885					
886		289	seat cover fragment	10	22
887					
888					
889		290	metal fragment	10	22
890					
891					
892		291	black plastic item	10	22
893					
894					

BARI/CHERNEY BOMBING

	A	B	C	D	E
895			174A-SF-90839	Crime Scene	1B
896		Q#	Description	Evidence Box	Origion
897		293	blue fabric	10	22
898					
899					
900		294	blue fabric	10	22
901					
902					
903		295	white plastic item	10	22
904					
905					
906		296	debris	10	22
907					
908					
909		298	blue fabric	10	22
910					
911					
912		300	blue fabric	10	22
913					
914					
915		302	metal fragment	10	22
916					
917					
918		303	metal fragment	10	22
919					
920					
921		305	debris	10	22
922					
923					
924		306	metal fragment	10	22
925					
926					
927		307	metal fragment	10	22
928					
929					
930		308	metal fragment	10	22
931					
932					
933		310	camouflage hat	10	22
934					
935					
936		311	wood fragment	10	22
937					
938					
939		312	metal & paper fragments	10	22
940					
941					

BARI/CHERNEY BOMBING

	A	B	C	D	E
942			174A-SF-90839	Crime Scene	1B
943		Q#	Description	Evidence Box	Origion
944		313	end cap fragment	10	22
945					
946					
947		315	metal fragment	10	22
948					
949					
950		316	end cap fragment	10	22
951					
952					
953		317	end cap fragment	10	22
954					
955					
956		318	debris	10	22
957					
958					
959		319	metal fragment	10	22
960					
961					
962		320	black plastic	10	22
963					
964					
965		321	wood fragment	10	22
966					
967					
968		322	debris	10	22
969					
970					
971		323	metal fragment	10	22
972					
973					
974		324	debris	10	22
975					
976					
977		325	debris	10	22
978					
979					
980		327	debris	10	22
981					
982					
983		328	metal fragment	10	22
984					
985					
986		329	guitar fragments & case	10	22
987					
988					

BARI/CHERNEY BOMBING

	A	B	C	D	E
989			174A-SF-90839	Crime Scene	1B
990		Q#	Description	Evidence Box	Origion
991		330	car seat	10	7
992					

Items not yet returned from lab
5/31/91

Q#	Description	Crime Scene	Bag#	Sub
		Box#		
23	Metal fragment	1	1	O
43	Misc debris	1	7	
75	Fragments of blue material & debris	1	11	A
81	Fragment of battery	1	11	G
87	Fragment of watch	1	11	M
119	Debris	2	3	G
131	Misc pieces of fabric	2	4	F
134	Clock back	2	4	I
149	Piece of grey duct	9; item 4		
180	Grey duct tape tape & fiberboard	9; item 15		
200	Fiberboard fragment	9; item 35		
224	Pipe fragments & debris	9; item 79		
243	Grey duct tape	10: item E-1	1	
259	Grey duct tape & debris	10: item 30	3	

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 11/5/91 BY sq-5ci/bmf

Memorandum



To : SAC, SAN FRANCISCO (174A/SF-90788) (P) Date 6/10/91
(Attn: Information Systems Administrator)

From : SA [redacted]

Subject: REQUEST FOR COMPUTER SUPPORT REGARDING:

Case Title: UNSUB, AKA JUDITH BEATRICE BARU-VICTIM,
DARRYL REED CHERNY-VICTIM; BOMBING OF
1981 SUBARU STATION WAGON, CALIFORNIA.
LICENSE 2NWX290, OAKLAND, CALIFORNIA,
MAY 24, 1990.
EID;
OO: SF

Squad/RA supervising case: SA [redacted] SQUAD 13

Certain investigative and/or evidentiary data indicated below pertaining to captioned case needs to be computerized utilizing the microcomputer resources in this division so that it can be used most effectively in the investigation and/or prosecution of this matter.

Brief description of data to be computerized: Twenty sets of toll records for the period 3/90 through 5/90.

Approximate volume of data: Heavy

If any deadline, state type and date: ~~None~~

Squad supervisor's initials and date: 7/12/91 *pan*

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b7C

LEAD:

SAN FRANCISCO DIVISION

At San Francisco, CA:

ISA will computerize the PHONE data on this case and provide the necessary microcomputer support consistent with divisional priorities and resources.

- ① - 174A/SF-90788 (Substantive file)
- 1 - 242-19 Sub C
- 1 - FOIPA
- /kan
- (3)

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 11/5/91 BY SP-5 CIB/MP

pan
Lead
to → [redacted]

174A-SF-90788-129

ROUTING SLIP

6/10/91

TO: (1) Case Agent - SA [redacted]
(2) Supervisor - SSA [redacted]

RE: MICROCOMPUTER SUPPORT RE: SF FILE#: 174A/SF-90788
Case Title: UNSUB, AKA JUDITH BEATRICE BARI-VICTIM
EID
OO: SF

1. Case Agent: Please read over the attached memo concerning your recent request for microcomputer support, initial the original by your name on the "From" line, and then route all copies to your supervisor. As soon as it is determined that such computer support is no longer needed, please call me so we can terminate this support.
2. Supervisor: If you concur in the computer support, please initial and date both copies of the attached memo on the line so marked, and assign a lead to me on the original for handling. Then route the original to the appropriate rotor for a FOIMS lead to insure that the case cannot be closed without this lead being cleared. The memo also serves to "flag" the file that computer support of this type indicated is being provided to this case. The 242-19 file copy of the memo should be routed back to me after you initial and date it.

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b7c

12/20/99

ORIG to
7B1 lab

Thank You,

SA [redacted]
Information Systems Administrator

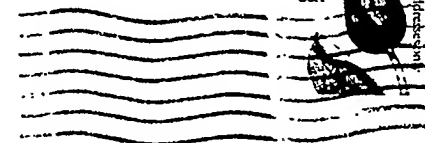
ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 11/5/91 BY SP-5 CJD/DAE

174A SF 90788-130

	CALIFORNIA 95560

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 11/5/91 BY SP-1 C. DOR

b6
b7C



EDITOR
SOUTHERN HUMBOLDT LIFE &
TIMES
P.O. BOX 68
GARBERVILLE, CALIFORNIA

95440

144-5F-90788-132

Has anyone ever known
their spirits?

Soaring wings in rapid
flight can ~~only~~ only know.
Will they reveal the truth to me?

Gushing waters, faster-faster
running down their sides,
Unrelenting cold and biting
wind are their allies.
Will that alone save them?

Sickness and filth abound
beneath them.
Can they be immune to it all?
They are the life-givers
for everything in the Valley.

They are respect, they
are life;

They are the reason I'm here.
Am I worthy to learn
of their essence?

"First Impressions"

Pokhara Valley

The stronger "the show of force" by
advertisers in these editions, the better im-
pression visitors receive of the area.

Show them where your heart is. Show
them Southern Humboldt. Join the advertis-
ers in these special editions by calling Nancy
Magatelli advertising manager at the *Life &
Times*.

Let's work to give Southern Humboldt
the voice it deserves. And, in doing this, we'll
make this the biggest business year the
community has had.

LOST & FOUND

Found in Redway. Male, sealpoint
Himalayan cat. Write P.O. Box 2072,
Redway, 95560. 4/9-4/16/

164 POWER IS THE ESSENCE
OF EVERYTHING BEAUTIFUL
#459

*Brown/yellow,
mysterious into golden eagles
Circle C Potatoes return to the
Dirty window butterfingers
hate entraps like foot in the door
Redway, California love on arrival
purple/green/red found a penny on
The Motley Cow heartless city
ordering hand of God contact sport
white shorts, Beethoven's fifth
Lichorix is from a tight pussy
more sinister blood to the blood
chimney sweeps *Oregon heats up
I was elephant rage but in the city
Airborne soldier makes the soldier
two pillows seven sleepers
Caltrans trash bag the dropping blood
honors for his running water
peach trees is having a closet
massage parlors heart of darkness
Kentucky Derby two in the bush
Yellow River the death penalty

ABORTION PREMATURELY CANCELS
SERIOUS SERVICE. #492 165

VICARIUS FILII OEL against -
abortion doctors have healed...
Green, Gray, white, human
Forty dollars guinea pigs
on damp forests [Silverado]
cause for a divorce Trail
radiation burns, suppliers make
detour we belong Redwood Highway
pain solution intercom -
The Real Life Test plus
abortion creates Petaluma,
California
Tree of Knowledge First Fruits
line #14 (Lends strength) [the
(asleep at the wheel) light of
truck terminal [a sun]
careless driving editors write
abortion editor abortion advocate
written in the... soul
mental hospital disappeared
found blue blanket 7/15/89 sleep
runaway train 5/12/89 (Fri) oh

b6
b7C

126 SCIENTISTS POP SURPRISES FOR THE PEACE PRIZE. # 504

LONELINESS AFTER MIDNIGHT HEARS FILTHY WORDS. # 468 127

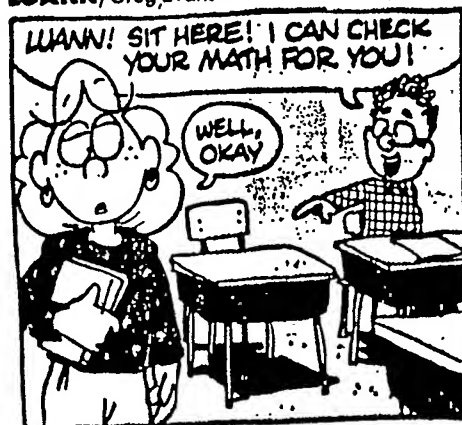
[War is three (p)] After Castro, pg 20
Lily of France, balmy nation
city people, of the world
forty-five returning gold / purple
creationism, brown eyes / now
superman's, sergey evich / the ladies choice
money + love / the ladies choice
infinite mind / cutthroat
on your head / lion tainers "Ohio"
conditioner / Harmony Lane / 220
catastrophe /
Last Hurrah rattlesnake, short
Eagle Peanuts / do the cooking
spotlight / the land of Bananas
heartbreak / to wax / woman
divided a house / banana peels have
Evil + accidents / lost / found
zero hour / your time surplus
The Big Splash / the new wave
Joker's wild, gambling is the / state
courtesy / mutational of mind
Belief + Truth / reflections
(mountain) Adolph Goers / sawing
Shintoism / earthquakes
Logic is six / Forgive me God
received command /

The Potter
horse sense, that accident
luck / weather Farmer John
ministry, women in heat
seek truth worships hate entraps
integrity author-ized
(war ends book) kill author
nine new kids
its desires, White Noise
is laugh pork chops Treasury
It's high time
pure water / chocolate, Paul Bunyan
VY + 2 (TEAM) Mexican lunch
THAN THEY GO! 10/21/88
Connecticut, X departures
three hearts, sitting on / TIMES
the rat trap / seventieth / NEWS
the black horse, Woodcock, Sex is great
used, North Dakota
Army women butterfly cherry pink
races are red, loose cannon G.P.
necessities, instincts, industrial
Akutan Island, off the walls
tarantulas House of Fire
Treaty Oak, Black Hills Gold
so straight earned / Marking is the
the rich and then

b6
b7C

4

LUANN/Greg, Evans



4/2/91

THE TEN KEY INSTRUMENT

00	O	T	I	M	E	I	S	Z	E	R	O	10	139
01	A	G	O	D	I	S	A	U	N	I	T	10	119
02	B	A	L	L	A	I	S	U	N	O	T	10	105
03	C	W	A	R	E	I	S	T	H	R	E	10	126
04	D	L	O	V	E	I	S	F	O	U	R	10	142
05	E	H	A	T	E	I	S	F	I	V	E	10	104
06	F	L	O	G	I	C	I	S	S	I	X	10	126
07	G	S	I	N	I	S	S	E	V	E	N	10	135
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09	I	W	I	N	E	I	S	N	I	N	E	10	121
10	J	J	O	I	I	S	L	A	U	G	H	10	127
11	K	G	R	A	Y	I	S	H	A	L	F	10	106
12	L	F	O	O	D	I	S	G	O	O	D	10	109
13	M	W	I	L	L	I	S	B	R	E	D	10	113
14	N	P	I	T	Y	I	S	W	I	S	E	10	154
15	O	P	L	A	Y	I	S	T	O	Y	S	10	161
16	P	P	E	A	C	E	I	S	T	W	O	10	116
17	Q	L	E	S	S	I	S	M	O	R	E	10	134
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19	S	W	O	R	K	I	S	E	V	I	N	10	143
20	T	L	I	F	E	I	S	P	A	I	N	10	100
21	U	F	A	T	E	I	S	O	V	E	R	10	120
22	V	W	I	N	I	S	R	I	G	H	T	10	136
23	W	P	O	W	E	R	I	S	P	L	U	10	131
24	X	Y	A	N	G	I	S	P	L	U	S	10	143
25	Y	Y	I	N	I	S	M	I	N	U	S	10	152
26	Z	O	N	E	I	S	U	N	D	E	R	10	124
27	U	I	A	M	H	E	I	S	T	E	N	10	103

3539

34

73

CALIFORNIA 95560

b6
b7C

CALVIN AND HOBBS / Bill Watterson

WHAT ARE YOU
DOING OUT IN
THE RAIN?

I'M ENGAGED
IN A CONTEST
OF WILLS! IT'S
ME AGAINST
NATURE!



WHICH OF US IS GOING TO
GIVE UP FIRST? IS NATURE
GOING TO GIVE UP AND STOP
RAINING, OR AM I GOING
TO GIVE UP AND GO INSIDE?
SO FAR, IT'S UNDECIDED, BUT
I'M DETERMINED TO WIN!



KABOOM!

OOOH, BIG NOISE!
YOU DON'T SCARE
ME! KEEP IT
COMING! I'M
NOT GOING IN!



POOR GUY
JUST COULDN'T
STAND THE
SUSPENSE.



FBI

TRANSMIT VIA:

☐ Teletype
☐ Facsimile
☒ AIRTEL

PRECEDENCE:

☐ Immediate
☐ Priority
☐ Routine

CLASSIFICATION:

☐ TOP SECRET
☐ SECRET
☐ CONFIDENTIAL
☐ UNCLAS E F T O
☐ UNCLAS

Date 7/5/91

TO : DIRECTOR, FBI
 (ATTN: BEHAVIORAL SCIENCE UNIT, FBI ACADEMY,
 QUANTICO, SSA [REDACTED] AND LATENT FINGERPRINT
 SECTION, FBI LABORATORY)

b6
 b7c

FROM : SAC, SAN FRANCISCO (174A-SF-90788) (P) (SQD 13)

SUBJECT : UNSUB(s);
 JUDITH BEATRICE BARI - VICTIM
 DARRYL REED CHERNEY - VICTIM
 BOMBING OF A 1981 SUBARU STATION WAGON
 CALIFORNIA LICENSE 2NWX290
 5/24/90
 EID
 OO: SAN FRANCISCO

Re San Francisco airtel to the Bureau titled as
 above, dated 8/13/90.

REQUEST OF THE BUREAU - LATENT FINGERPRINT SECTION

The Latent Fingerprint Section is requested to
 examine the original enclosed letter which begins "Has anyone
 ever known their spirits?" for latent prints and compare to
 any prints which have been developed in captioned case.

ALL INFORMATION CONTAINED
 HEREIN IS UNCLASSIFIED
 DATE 11/5/91 BY SP-SCI/DM

4 - Bureau (Enc. 2)
 (2 - Quantico) (Enc. 1)

② - San Francisco

JEC/dld

(6) did enc. sent

Searched _____
 Serialized _____

Indexed _____
 Filed _____

VIA #R49990239.
 Approved: [Signature]
 See: 1B34

Transmitted

(Number) (Time)

Per

174A SF-90788-133

174A-SF-90788
JEC/dld

REQUEST OF THE BUREAU - BEHAVIORAL SCIENCE UNIT (BSU) -
QUANTICO

The Behavioral Science Unit is requested to compare the enclosed letter which begins "Has anyone ever known their spirits?", which was sent to the below described incident, to the "Lord's Avenger" letter which was enclosed with the referenced airtel and determine if the two letters have been written by the same individual.

Enclosed for the Bureau are the original and one copy of a letter which begins "Has anyone every known their spirits?".

On 6/24/91, the above described letter was received from [redacted], Life and Times Weekly Newspaper, 26 Briceland Road, Suite E, Redway, California, P.O. Box 68, Garberville, California 95440, business number 707-923-2824, residence number [redacted] had previously advised telephonically that he had received the enclosed letter and wanted to make it available to the FBI but requested the original letter be returned to him at the conclusion of the examinations of the document.

b6
b7c

July 8, 1991

Honorable Alan Cranston
United States Senate
Washington, D.C. 20510

Dear Senator Cranston:

I am writing in further response to your May 24th inquiry on behalf of [redacted] and to [redacted] letter to President Bush concerning the bombing incident involving Ms. Judi Bari.

The FBI and the Oakland, California, Police Department are jointly investigating this event, and I am not at liberty to comment specifically regarding this case because FBI and Department of Justice policy prohibits comment on pending investigations. This policy has existed for a number of years and serves to prevent any impact on judicial proceedings relative to criminal charges that may result from the investigation. However, I do want to assure [redacted] that, contrary to his belief, this case has received and continues to receive appropriate investigative attention by the FBI.

b6
b7C

Your enclosure is being returned as requested.

Sincerely yours,

Nicholas V. O'Hara
Deputy Assistant Director
Criminal Investigative Division

Enclosure

1 - San Francisco - Enclosures (2)

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 4/5/91 BY SP-5 CIP/BJ

SEARCHED	INDEXED
SERIALIZED	FILED
JUL 10 1991	
FBI - SAN FRANCISCO	

174A-SF-90788-134

United States Senate

WASHINGTON, DC 20510

May 24, 1991

To: Office of Congressional Affairs
Federal Bureau of Investigation
Ninth and Pennsylvania Avenue, N.W.
Washington, D.C. 20535

Inquiry from:

[REDACTED]

570 12760

[REDACTED]

California 92349

b6
b7C

Re: Please address the concerns raised by [REDACTED]
regarding an investigation into the bombing of an
automobile containing Earth First! activists.

I forward the attached for your review and consideration.

Your report, in duplicate, along with the return of the
enclosure, will be appreciated. The response should be directed
to the attention of Susan Daly in my Washington office.

Thank you for your attention to this matter.

Sincerely,

Alan Cranston
Alan Cranston

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 11/5/91 BY SP-SCI/DP

Dear Senator Cranston,

I'm writing to you because I'm deeply concerned about the bombing of an automobile containing Judi Bari + another Earth First! activist. The FBI immediately declared that they were members of a terrorist organization, and that they were responsible for the bomb. As far as I'm aware of, neither Judi Bari nor Earth First! has ever advocated or taken responsibility for bombings. In our society, people are considered innocent until proven guilty. In this case the victims were considered guilty without trial or even investigation. The FBI and other law enforcement groups refused categorically to investigate the bombing, in essence letting the real terrorists get away with it.

The Audubon society, of which I'm a member has said the charge that Judi Bari is a terrorist is ridiculous. While I certainly don't agree with the radical tactics or philosophies of Earth First!, I'm deeply concerned that the FBI has declared open season (even for murder) on environmental activists, for purely political reasons.

The FBI official that was responsible for this sham should be removed from his job. A thorough + impartial investigation of both the attempted murder + the FBI should be launched immediately. I'd like to hear back from you on what you think should be done.

[Redacted]

[Redacted]

CA

92349

Sincerely

[Redacted]

b6
b7c

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 11/15/91 BY SP-5 CIB/10

United States District Court

NORTHERN

CALIFORNIA

DISTRICT OF

(Bari, et al. v. Held, et al.)
(See attachment)

FIRST AMENDED

SUMMONS IN A CIVIL ACTION

CASE NUMBER: C 91 1057 EFL

v.

TO: (Name and Address of Defendant)

YOU ARE HEREBY SUMMONED and required to file with the Clerk of this Court and serve upon

PLAINTIFF'S ATTORNEY (name and address)

WILLIAM M. SIMPICH
Attorney at Law
1736 Franklin Street, Ninth Floor
Oakland, CA 94612

an answer to the complaint which is herewith served upon you, within 20 days after service of this summons upon you, exclusive of the day of service. If you fail to do so, judgment by default will be taken against you for the relief demanded in the complaint.

RICHARD W. WIEKING

CLERK

Acel Catu
Acel Catu

DATE

MAY 21 1991

BY DEPUTY CLERK

1814A-94-90788-135

1 WILLIAM M. SIMPICH,
2 Attorney at Law
3 1736 Franklin Street, Ninth Floor
4 Oakland, CA 94612
5 Telephone: (415) 444-0226

6 Attorney for Plaintiffs
7 JUDI BARI, DARRYL CHERNEY,
8 MENDOCINO ENVIRONMENTAL CENTER,
9 BETTY BALL and GARY BALL

10 UNITED STATES DISTRICT COURT
11 NORTHERN DISTRICT OF CALIFORNIA

12 JUDI BARI, DARRYL CHERNEY,
13 MENDOCINO ENVIRONMENTAL CENTER,
14 BETTY BALL and GARY BALL,

15 Plaintiffs,
16 vs.

No. C 91 1057 EFL

FIRST AMENDED COMPLAINT
FOR VIOLATIONS OF CIVIL
RIGHTS, TORTS AND
STATUTES, AND FOR
DAMAGES, INJUNCTIVE
AND DECLARATORY RELIEF

17
18 RICHARD WALLACE HELD, individually
19 and in his official capacity as Special
20 Agent in Charge, San Francisco, of the
21 Federal Bureau of Investigation; FRANK
22 DOYLE, JR., individually and in his
23 official capacity as Special Agent of
24 the Federal Bureau of Investigation;
25 DAVID R. WILLIAMS, individually and in
26 his official capacity as Special Agent
27 of the Federal Bureau of Investigation;
28 JOHN RIKES, individually and in his
official capacity as Special Agent of
the Federal Bureau of Investigation,
CITY OF OAKLAND; OAKLAND POLICE
DEPARTMENT; JAMES HAHN, individually

(Jury trial demanded)

FIRST AMENDED COMPLAINT FOR VIOLATIONS
OF CIVIL RIGHTS, TORTS AND STATUTES, AND FOR
DAMAGES, INJUNCTIVE AND DECLARATORY RELIEF

and in his official capacity with the
Oakland Police Department; C. MICHAEL
SIMS, individually and in his official
capacity with the Oakland Police
Department; MICHAEL SITTERUD,
individually and in his official
capacity with the Oakland Police
Department; ROBERT CHENAULT, individually
and in his official capacity with the
Oakland Police Department; RAMON PANIAGUA,
individually and in his official
capacity with the Oakland Police
Department; COUNTY OF MENDOCINO,
a chartered county; MENDOCINO
COUNTY SHERIFF'S DEPARTMENT; SHERIFF TIM
SHEA, individually and in his capacity
as the sheriff of the County of Mendo-
cino; BURL MURRAY, individually
and in his official capacity as
a deputy sheriff of the County of
Mendocino; DEPUTY SATTERWHITE,
individually and in his official
capacity as a deputy sheriff of
the County of Mendocino; COUNTY OF HUMBOLDT,
a chartered county; HUMBOLDT COUNTY
SHERIFF'S DEPARTMENT; LT. FRANK VULICH,
individually and in his official
capacity as a deputy sheriff of the County
of Humboldt; SGT. CIARABELLINI,
individually and in his official capacity
as a deputy sheriff of the County of
Humboldt; CITY OF UKIAH;
UKIAH POLICE DEPARTMENT, FRED KEPLINGER,
individually and in his official
capacity as Chief of the Ukiah Police
Department; DOES I-III,
individually and in their capacities as
officers of the Ukiah Police
Department; DOE IV, individually and in
his capacity as an officer of the Oakland
Police Department; DOES V-CCC,

Defendants.

FIRST AMENDED COMPLAINT FOR VIOLATIONS
OF CIVIL RIGHTS, TORTS AND STATUTES, AND FOR
DAMAGES, INJUNCTIVE AND DECLARATORY RELIEF

This cover sheet and the information contained herein neither replace nor supplement the filing and service of pleadings or other papers as required by local court rules. This form, approved by the Judicial Conference of the United States in September 1974, is required for the use of the Clerk of Court for the purpose of initiating the civil docket. See INSTRUCTIONS ON THE REVERSE OF THE FORM.

I. PLAINTIFFS

JUDI BARI, DARRYL CHERNEY, MENDOCINO
ENVIRONMENTAL CENTER, BETTY BALL
and GARY BALL

(b) COUNTY OF RESIDENCE OF FIRST LISTED PLAINTIFF MENDOCINO
(EXCEPT IN U.S. PLAINTIFF CASES)

VENUE: SAN FRANCISCO X SAN JOSE

(c) ATTORNEYS (FIRM NAME, ADDRESS, AND TELEPHONE NUMBER)
WILLIAM M. SIMPICH
Attorney at Law
1736 Franklin Street, Ninth Floor
Oakland, CA 94612
Telephone: (415) 444-0226

DEFENDANTS RICHARD WALLACE HELD, FRANK DOYLE,
JR., DAVID R. WILLIAMS, JOHN RIKES
CITY OF OAKLAND, OAKLAND POLICE DEPARTMENT,
JAMES HAHN, C. MICHAEL SIMS, MICHAEL SITTERUD,
ROBERT CHENAULT, RAMON PANIAGUA, COUNTY OF
MENDOCINO, MENDOCINO COUNTY SHERIFF'S DEPARTMENT
et al. (See attached cover sheet)

COUNTY OF RESIDENCE OF FIRST LISTED DEFENDANT
(IN U.S. PLAINTIFF CASES ONLY)

NOTE: IN LAND CONDEMNATION CASES, USE THE LOCATION OF THE
TRACT OF LAND INVOLVED

II. BASIS OF JURISDICTION (PLACE AN X IN ONE BOX ONLY)

- ☐ 1 U.S. Government Plaintiff
☐ 2 U.S. Government Defendant
☒ 3 Federal Question (U.S. Government Not a Party)
☐ 4 Diversity (Indicate Citizenship of Parties in Item III)

III. CITIZENSHIP OF PRINCIPAL PARTIES

(For Diversity Cases Only)

(PLACE AN X IN ONE BOX FOR PLAINTIFF AND ONE BOX FOR DEFENDANT)

- | | PTF | DEF | | PTF | DEF |
|---|----------------------------|----------------------------|---|----------------------------|----------------------------|
| Citizen of This State | <input type="checkbox"/> 1 | <input type="checkbox"/> 1 | Incorporated or Principal Place of Business in This State | <input type="checkbox"/> 4 | <input type="checkbox"/> 4 |
| Citizen of Another State | <input type="checkbox"/> 2 | <input type="checkbox"/> 2 | Incorporated and Principal Place of Business in Another State | <input type="checkbox"/> 5 | <input type="checkbox"/> 5 |
| Citizen or Subject of a Foreign Country | <input type="checkbox"/> 3 | <input type="checkbox"/> 3 | Foreign Nation | <input type="checkbox"/> 6 | <input type="checkbox"/> 6 |

IV. CAUSE OF ACTION

(CITE THE U.S. CIVIL STATUTE UNDER WHICH YOU ARE FILING AND WRITE A BRIEF STATEMENT OF CAUSE.)

DO NOT CITE JURISDICTIONAL STATUTES UNLESS DIVERSITY. 42 USC 1983. False arrest and numerous constitutional violations suffered by plaintiffs due to faulty investigation by law enforcement agencies.

V. NATURE OF SUIT (PLACE AN X IN ONE BOX ONLY)

CONTRACT	TORTS		FORFEITURE/PENALTY	BANKRUPTCY	OTHER STATUTES
<input type="checkbox"/> 110 Insurance <input type="checkbox"/> 120 Marine <input type="checkbox"/> 130 Miller Act <input type="checkbox"/> 140 Negotiable Instrument <input type="checkbox"/> 150 Recovery of Overpayment & Enforcement of Judgment <input type="checkbox"/> 161 Medicare Act <input type="checkbox"/> 162 Recovery of Delinquent Student Loans (Excl. Veterans) <input type="checkbox"/> 163 Recovery of Overpayment of Veteran's Benefits <input type="checkbox"/> 164 Stockholders' Suits <input type="checkbox"/> 165 Other Contract <input type="checkbox"/> 166 Contract Product Liability	PERSONAL INJURY <input type="checkbox"/> 310 Airplane <input type="checkbox"/> 315 Airplane Product Liability <input type="checkbox"/> 320 Assault, Libel & Slander <input type="checkbox"/> 330 Federal Employers' Liability <input type="checkbox"/> 340 Marine <input type="checkbox"/> 345 Marine Product Liability <input type="checkbox"/> 350 Motor Vehicle <input type="checkbox"/> 355 Motor Vehicle Product Liability <input type="checkbox"/> 360 Other Personal Injury	PERSONAL INJURY <input type="checkbox"/> 362 Personal Injury—Med Malpractice <input type="checkbox"/> 365 Personal Injury—Product Liability <input type="checkbox"/> 368 Asbestos Personal Injury Product Liability PERSONAL PROPERTY <input type="checkbox"/> 370 Other Fraud <input type="checkbox"/> 371 Truth in Lending <input type="checkbox"/> 380 Other Personal Property Damage <input type="checkbox"/> 385 Property Damage Product Liability	<input type="checkbox"/> 610 Agriculture <input type="checkbox"/> 620 Food & Drug <input type="checkbox"/> 630 Liquor Laws <input type="checkbox"/> 640 R.R. & Truck <input type="checkbox"/> 650 Airline Rage <input type="checkbox"/> 660 Occupational Safety/Health <input type="checkbox"/> 690 Other LABOR <input type="checkbox"/> 710 Fair Labor Standards Act <input type="checkbox"/> 720 Labor/Mgmt. Relations <input type="checkbox"/> 730 Labor/Mgmt. Reporting & Disclosure Act <input type="checkbox"/> 740 Railway Labor Act <input type="checkbox"/> 790 Other Labor Litigation <input type="checkbox"/> 791 Empl. Ret. Inc. Security Act	<input type="checkbox"/> 422 Appeal 28 USC 158 <input type="checkbox"/> 423 Withdrawal 28 USC 157 PROPERTY RIGHTS <input type="checkbox"/> 820 Copyrights <input type="checkbox"/> 830 Patent <input type="checkbox"/> 840 Trademark SOCIAL SECURITY <input type="checkbox"/> 861 HIA (1395d) <input type="checkbox"/> 862 Black Lung (923) <input type="checkbox"/> 863 DIWC (405(g)) <input type="checkbox"/> 864 DIWH (405(g)) <input type="checkbox"/> 865 SSD Title XVI <input type="checkbox"/> 866 RSI (405(g)) FEDERAL TAX SUITS <input type="checkbox"/> 870 Taxes (U.S. Plaintiff or Defendant) <input type="checkbox"/> 871 IRS—Third Party 26 USC 7608	<input type="checkbox"/> 400 State Reapportionment <input type="checkbox"/> 410 Antitrust <input type="checkbox"/> 430 Banks and Banking <input type="checkbox"/> 450 Commerce/ICC Rates/plc. <input type="checkbox"/> 460 Deportation <input type="checkbox"/> 470 Racketeer Influenced and Corrupt Organizations <input type="checkbox"/> 610 Selective Service <input type="checkbox"/> 650 Securities/Commodities/Exchange <input type="checkbox"/> 876 Customer Challenge 12 USC 3419 <input type="checkbox"/> 891 Agricultural Act <input type="checkbox"/> 892 Economic Stabilization Act <input type="checkbox"/> 893 Environmental Matters <input type="checkbox"/> 894 Energy Allocation Act <input type="checkbox"/> 895 Freedom of Information Act <input type="checkbox"/> 900 Appeal of Fee Determination Under Equal Access to Justice <input type="checkbox"/> 950 Constitutionality of State Statutes <input type="checkbox"/> 990 Other Statutory Actions
REAL PROPERTY <input type="checkbox"/> 210 Land Condemnation <input type="checkbox"/> 220 Foreclosure <input type="checkbox"/> 230 Rent Lease & Ejectment <input type="checkbox"/> 240 Title to Land <input type="checkbox"/> 245 Tort Product Liability <input type="checkbox"/> 290 All Other Real Property	CIVIL RIGHTS <input type="checkbox"/> 441 Voting <input type="checkbox"/> 442 Employment <input type="checkbox"/> 443 Housing/Accommodations <input type="checkbox"/> 444 Welfare <input checked="" type="checkbox"/> 440 Other Civil Rights	PRISONER PETITIONS <input type="checkbox"/> 510 Motions to Vacate Sentence <input type="checkbox"/> 530 Habeas Corpus <input type="checkbox"/> 540 Mandamus & Other <input type="checkbox"/> 550 Civil Rights			

VI. ORIGIN

(PLACE AN X IN ONE BOX ONLY)

- ☒ 1 Original Proceeding
☐ 2 Removed from State Court
☐ 3 Remanded from Appellate Court
☐ 4 Reinstated or Reopened
☐ 5 Transferred from another district (specify)
☐ 6 Multidistrict Litigation
☐ 7 Appeal to District Judge from Magistrate Judgment

VII. REQUESTED IN COMPLAINT:

CHECK IF THIS IS A CLASS ACTION
☐ UNDER F.R.C.P. 23

DEMAND \$
 yes

Check YES only if demanded in complaint:
 JURY DEMAND: ☒ YES ☐ NO

VIII. RELATED CASE(S) IF ANY

JUDGE _____ DOCKET NUMBER _____

DATE
 5/21/91

SIGNATURE OF ATTORNEY OF RECORD

UNITED STATES DISTRICT COURT

NORTHERN DISTRICT OF CALIFORNIA

Case No. 91 1057

EFL

ORIGINAL
FILED
APR 8 1991

ORDER SETTING STATUS CONFERENCE

This action having been assigned to JUDGE EUGENE F. LYNCH

IT IS ORDERED that a status conference will be held before Judge

Lynch on ~~7/12/91~~ 9/9/91 at 8:45 a.m. in Courtroom
No. 4, 17th Floor, at the U.S. District Courthouse, 450 Golden Gate Avenue,
San Francisco, California.

The parties shall appear in person or through counsel and shall be
prepared to discuss the future course of the litigation including, but not
limited to, the matters set forth in Local Rule 235-3. Filing of a written
status conference statement is not required.

SPECIAL NOTICE REGARDING MOTIONS:

Briefs in support of any motions filed in this action must be typed
on 26-line, double-spaced pleading paper and may not exceed 15 pages in
length, exclusive of title pages, indexes of cases, tables of content,
exhibits, and affidavits. Briefs exceeding 10 pages in length must contain
an additional one-page summary of argument, including important cases
cited. Any brief that exceeds these limits will not be considered.

THE PARTY INITIATING THIS ACTION IN THIS COURT IS DIRECTED TO SERVE
COPIES OF THIS ORDER AT ONCE UPON ALL OTHER PARTIES TO THIS ACTION AND UPON
THOSE SUBSEQUENTLY JOINED IN ACCORDANCE WITH THE PROVISIONS OF RULES 4 AND
5, FEDERAL RULES OF CIVIL PROCEDURE, AND TO FILE WITH THE CLERK OF COURT A
CERTIFICATE REFLECTING SUCH SERVICE.

FOR THE COURT:

RICHARD W. WIEKING, Clerk

ROBERT F. MONNETT

By: _____

Deputy Clerk

1 WILLIAM M. SIMPICH
2 Attorney at Law
3 1736 Franklin Street, Ninth Floor
4 Oakland, CA 94612
5 Telephone: (415) 444-0226

6 Attorney for Plaintiffs
7 JUDI BARI, DARRYL CHERNEY,
8 MENDOCINO ENVIRONMENTAL CENTER,
9 BETTY BALL and GARY BALL

ORIGINAL
FILED

MAY 2 1 1991

RICHARD W. WIEKING
CLERK, U.S. DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

10 JUDI BARI, DARRYL CHERNEY,
11 MENDOCINO ENVIRONMENTAL CENTER,
12 BETTY BALL and GARY BALL,

No. C 91 1057 EFL

13
14 Plaintiffs,
15 vs.

FIRST AMENDED COMPLAINT
FOR VIOLATIONS OF CIVIL
RIGHTS, TORTS AND
STATUTES, AND FOR
DAMAGES, INJUNCTIVE
AND DECLARATORY RELIEF

16
17
18 RICHARD WALLACE HELD, individually
19 and in his official capacity as Special
20 Agent in Charge, San Francisco, of the
21 Federal Bureau of Investigation; FRANK
22 DOYLE, JR., individually and in his
23 official capacity as Special Agent of
24 the Federal Bureau of Investigation;
25 DAVID R. WILLIAMS, individually and in
26 his official capacity as Special Agent
of the Federal Bureau of Investigation;
JOHN RIKES, individually and in his
official capacity as Special Agent of
the Federal Bureau of Investigation,
CITY OF OAKLAND; OAKLAND POLICE
DEPARTMENT; JAMES HAHN, individually

(Jury trial demanded)

27 FIRST AMENDED COMPLAINT FOR VIOLATIONS
28 OF CIVIL RIGHTS, TORTS AND STATUTES, AND FOR
DAMAGES, INJUNCTIVE AND DECLARATORY RELIEF

1 and in his official capacity with the
2 Oakland Police Department; C. MICHAEL
3 SIMS, individually and in his official
4 capacity with the Oakland Police
5 Department; MICHAEL SITTERUD,
6 individually and in his official
7 capacity with the Oakland Police
8 Department; ROBERT CHENAULT, individually
9 and in his official capacity with the
10 Oakland Police Department; RAMON PANIAGUA,
11 individually and in his official
12 capacity with the Oakland Police
13 Department; COUNTY OF MENDOCINO,
14 a chartered county; MENDOCINO
15 COUNTY SHERIFF'S DEPARTMENT; SHERIFF TIM
16 SHEA, individually and in his capacity
17 as the sheriff of the County of Mendo-
18 cino; BURL MURRAY, individually
19 and in his official capacity as
20 a deputy sheriff of the County of
21 Mendocino; DEPUTY SATTERWHITE,
22 individually and in his official
23 capacity as a deputy sheriff of
24 the County of Mendocino; COUNTY OF HUMBOLDT,
25 a chartered county; HUMBOLDT COUNTY
26 SHERIFF'S DEPARTMENT; LT. FRANK VULICH,
27 individually and in his official
28 capacity as a deputy sheriff of the County
of Humboldt; SGT. CIARABELLINI,
individually and in his official capacity
as a deputy sheriff of the County of
Humboldt; CITY OF UKIAH;
UKIAH POLICE DEPARTMENT, FRED KEPLINGER,
individually and in his official
capacity as Chief of the Ukiah Police
Department; DOES I-III,
individually and in their capacities as
officers of the Ukiah Police
Department; DOE IV, individually and in
his capacity as an officer of the Oakland
Police Department; DOES V-CCC,

Defendants.

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1 COMPLAINT FOR VIOLATION OF CIVIL RIGHTS, TORTS AND STATUTES, AND
2 FOR DAMAGES, INJUNCTIVE AND DECLARATORY RELIEF

3
4 I. JURY TRIAL DEMAND

5 1. Plaintiffs hereby demand a trial by jury.

6
7 II. JURISDICTION

8 2. This is a civil action seeking damages, injunctive
9 relief and declaratory relief against defendants for committing
10 acts under color of law which deprived the plaintiffs of rights
11 secured under the Constitution and laws of the United States; for
12 conspiring for the purpose of impeding and hindering the due course
13 of justice; with intent to deny Plaintiffs due process and the
14 equal protection of laws; and for refusing or neglecting to prevent
15 such deprivations and denials to plaintiffs. This action arises
16 under Title 42 of the United States Code, Sections 1983, 1985 and
17 1986. Plaintiffs have also stated claims under California law
18 invoking the pendent jurisdiction conferred upon this court by
19 Title 28 of the United States Code, Sections 1331 and 1343. The
20 unlawful acts and practices alleged herein occurred in the County
21 of Alameda, the County of Mendocino and the County of Humboldt,
22 State of California, which are situated in this judicial district.

23
24 III. PARTIES

25 3. Plaintiff JUDI BARI was, at all times mentioned in the
26 course of events detailed in this complaint, a resident within the

1 County of Mendocino. She was one of the founding organizers of the
2 "Redwood Summer" campaign in Northern California. She is an
3 nonviolent activist involved in organizing among timber workers and
4 environmentalists, enabling them to discover their common ground.
5 She is presently an activist with Ecotopia Earth First!

6 4. Plaintiff DARRYL CHERNEY is and at all times mentioned
7 was a resident within the County of Humboldt. He was one of the
8 founding organizers of the "Redwood Summer" campaign in Northern
9 California in 1990. He is a singer/songwriter, publicist, a
10 nonviolent activist, and organizer in the environmental movement.
11 He is presently an activist with Ecotopia Earth First!

12 5. Plaintiff MENDOCINO ENVIRONMENTAL CENTER is an
13 nonprofit corporation in Ukiah, California, an environmental
14 organization working to protect the forests and the earth.

15 6. Plaintiffs BETTY BALL and GARY BALL work full-time at
16 the MENDOCINO ENVIRONMENTAL CENTER, reside in Mendocino County, and
17 are full-time environmental activists.

18 7. Defendant RICHARD WALLACE HELD is the Special Agent in
19 Charge, San Francisco, for the Federal Bureau of Investigation, at
20 all times relevant to this suit.

21 8. Defendant FRANK DOYLE, JR. is a Special Agent of the
22 Federal Bureau of Investigation. At the time of the incident that
23 is the basis of this suit, he was a hazardous devices technician
24 with the International/Domestic Terrorism Squad.

25 9. Defendant DAVID A. WILLIAMS is a Special Agent of the
26

1 Federal Bureau of Investigation. At the time of the incident that
2 is the basis of this suit, he was a member of the Explosives Unit
3 and the FBI Crime Lab.

4 10. Defendant JOHN RIKES is a Special Agent of the Federal
5 Bureau of Investigation. At the time of the incident that is the
6 basis of this suit, he was the leader of the FBI's team of
7 investigators of the car bombing.

8 11. Defendant CITY OF OAKLAND is and at all times herein
9 mentioned was a municipal corporation duly organized and existing
10 under the laws of the State of California.

11 12. Defendant OAKLAND POLICE DEPARTMENT is and at all
12 times herein was a local agency in the CITY OF OAKLAND.

13 13. Defendant JAMES HAHN is a Captain in the OAKLAND
14 POLICE DEPARTMENT, and oversees the Homicide Division as part of
15 his course of duties.

16 14. Defendant C. MICHAEL SIMS is a Lieutenant in the
17 Homicide Division of the OAKLAND POLICE DEPARTMENT and is the head
18 of the car bombing investigation for the Oakland police.

19 15. Defendant MICHAEL SITTERUD is a sergeant with the
20 Homicide Division in the OAKLAND POLICE DEPARTMENT.

21 16. Defendant ROBERT CHENAULT is a sergeant with the
22 Homicide Division in the OAKLAND POLICE DEPARTMENT.

23 17. Defendant RAMON PANIAGUA is a sergeant with the
24 OAKLAND POLICE DEPARTMENT.

25 18. Defendant COUNTY OF MENDOCINO is and was a county
26

1 chartered in the State of California.

2 19. Defendant MENDOCINO COUNTY SHERIFF'S DEPARTMENT is a
3 law enforcement agency of the COUNTY OF MENDOCINO, charged with
4 enforcement of state and local penal laws.

5 20. Defendant SHERIFF TIM SHEA was, at the time of the
6 actions complained of, the Sheriff of the COUNTY OF MENDOCINO.

7 21. Defendant BURL MURRAY is and was at the time of the
8 actions complained of, employed as deputy sheriff of the COUNTY OF
9 MENDOCINO.

10 22. Defendant DEPUTY SATTERWHITE is and was at the time of
11 the actions complained of, employed as deputy sheriff of the
12 COUNTY OF MENDOCINO.

13 23. Defendant COUNTY OF HUMBOLDT is and was a county
14 chartered in the State of California.

15 24. Defendant HUMBOLDT COUNTY SHERIFF'S DEPARTMENT is a
16 law enforcement agency of the COUNTY OF HUMBOLDT, charged with
17 enforcement of state and local penal laws.

18 25. Defendant LT. FRANK VULICH, is and was at the time of
19 the actions complained of, employed as deputy sheriff of the COUNTY
20 OF HUMBOLDT in the Garberville branch office.

21 26. Defendant SGT. CIARABELLINI is and was at the time of
22 the actions complained of, employed as deputy sheriff of the COUNTY
23 OF HUMBOLDT in the Eureka main office.

24 27. Defendant CITY OF UKIAH is and at all times herein
25 mentioned was a municipal corporation duly organized and existing
26

1 under the laws of the State of California.

2 28. Defendant UKIAH POLICE DEPARTMENT is and at all times
3 herein was a local agency in the CITY OF UKIAH.

4 29. Defendant CHIEF FRED KEPLINGER is and was at all times
5 herein, the Chief of Police of the CITY OF UKIAH.

6 30. Defendants DOE I, II and III were, at the time of the
7 actions complained of, employed as police officers in the CITY OF
8 UKIAH, located in the County of Mendocino.

9 31. Defendant DOE IV is an officer with the OAKLAND POLICE
10 DEPARTMENT.

11 32. Defendant DOE V is the individual that placed the bomb
12 into the 1981 Subaru of JUDI BARI on or about May 24, 1990.

13 33. All defendants are sued in their individual and
14 official capacities. Plaintiffs are ignorant of the identities
15 and/or capacities of DOES VI-CCC at this time, and request
16 permission to amend this complaint when their capacities and
17 identities are ascertained.

18
19 IV. PRELIMINARY STATEMENT

20
21 34. In this lawsuit, plaintiffs JUDI BARI and DARRYL
22 CHERNEY allege that the defendants have acted in a course of
23 concerted activity to commit, and continues to commit certain
24 unlawful acts (as well as lawful acts for an unlawful purpose)
25 against JUDI BARI and DARRYL CHERNEY of Earth First! and the
26

1 Redwood Summer campaign of 1990.

2 35. Plaintiffs allege that, with deliberate indifference
3 to their constitutional rights, defendants have participated in a
4 course of conduct to:

5 1. Misstate the location of the bomb;
6 2. Spoliate as evidence JUDI BARI's bombed Subaru;
7 3. Fabricate an allegation that nails in the bomb and
8 nails located in BARI's home were manufactured by the same machine
9 within a batch of 200-1000 nails;

10 4. Furnish to the news media a photograph of JUDI BARI
11 that was designed to create deceptive publicity of Ms. BARI as a
12 violent person;

13 5. Engage in only a cursory investigation for the
14 bomber;

15 6. Engage in only a cursory investigation of the death
16 threats and the "press releases" that endangered the plaintiffs'
17 lives;

18 7. Conduct surveillance and intelligence gathering on
19 the plaintiffs and their political groups in a manner that chilled
20 their First Amendment rights;

21 8. Withhold from the plaintiffs' investigative team the
22 evidence that would lead to the car bomber; and

23 9. Label the plaintiffs JUDI BARI and DARRYL CHERNEY as
24 "suspects" in order to justify the aforementioned withholding of
25 evidence.

1 36. In this course of conduct, RICHARD W. HELD (the
2 Special Agent in Charge for the San Francisco region) has been
3 aided by Special Agent FRANK DOYLE, JR. of the
4 International/Domestic Terrorism Squad, who falsely alleged that it
5 was his expert opinion that the bomb that exploded in JUDI BARI's
6 Subaru on May 24 was located on the rear seat floorboard behind the
7 driver's seat, rather than under Ms. BARI's seat.

8 37. The defendant HELD has also been aided by SA DAVID A.
9 WILLIAMS from the Explosives Unit and the FBI Crime Lab, who
10 falsely alleged on June 14, 1990 that he could testify that the
11 "bomb fragmentation nails" and the nails located at Ms. BARI's
12 residence were manufactured by the same machine within a batch of
13 two hundred to one thousand nails.

14 38. Defendant HELD has also been aided by defendant SA
15 JOHN RIKES, the leader of the FBI's team of investigators.

16 39. Plaintiffs JUDI BARI and DARRYL CHERNEY allege that
17 from the outset, the location of the bomb explosion was obvious to
18 both trained and untrained observers.

19 40. Plaintiffs MENDOCINO ENVIRONMENTAL CENTER and BETTY
20 BALL allege that the Mendocino sheriffs and the Ukiah police failed
21 to investigate threats made against them, and join the other
22 plaintiffs in this lawsuit in this regard. GARY BALL joins in
23 these allegations against the UKIAH POLICE DEPARTMENT.

24 41. On information and belief, Plaintiffs allege that all
25 intentional and/or reckless acts alleged within each of the tort
26

1 causes of action in this complaint were committed with oppressive,
2 fraudulent, or malicious intent on the part of the defendants.

3 42. Other individuals named as defendants include:

4
5 A. Oakland police department

6 (1) Captain JAMES HAHN, who admittedly permitted his
7 officers to "leak" alleged "evidence" of the bombing into the media
8 from May, 1990 until July, 1990;

9 (2) Lieutenant C. MICHAEL SIMS, the head of the
10 investigation for the Oakland police. Among other statements to
11 the press, he stated that "there are no other suspects" on June 8,
12 1990;

13 (3) Homicide Sergeant ROBERT CHENAULT, who plaintiffs
14 allege sought the original search warrant of the plaintiffs' homes
15 on May 25, 1990 without probable cause;

16 (4) Homicide Sergeant MICHAEL SITTERUD, who plaintiffs
17 allege sought a second search warrant of the home of JUDI BARI on
18 June 25, 1990 without probable cause;

19 (5) Sergeant RAMON PANIAGUA, one of the original
20 investigators of the bombing;

21 (6) Defendant DOE IV, who authorized the arrest of
22 plaintiffs BARI and CHERNEY for possession of explosives and
23 transportation of explosives.

24 ///

25 ///

1 B. Mendocino County Sheriff's Department

2 (1) Sheriff TIM SHEA, who instituted a command center to
3 handle concerns arising from "Redwood Summer", and then refused to
4 investigate death threats and fake "press releases" that were
5 endangering the lives of plaintiffs JUDI BARI, DARRYL CHERNEY,
6 BETTY BALL, and the welfare of the MENDOCINO ENVIRONMENTAL CENTER
7 during the months of April and May of 1990;

8 (2) Deputy BURL MURRAY, who refused to aid these
9 plaintiffs upon viewing these documents and threats on April 20,
10 1990;

11 (3) Deputy SATTERWHITE, who joined MURRAY in this refusal
12 and stated to plaintiff BARI "If you turn up dead, we'll
13 investigate."

14
15 C. Humboldt County Sheriff's Department

16 (1) Lieutenant FRANK VULICH, deputy sheriff of the COUNTY
17 OF HUMBOLDT in the Garberville branch office, who refused to aid
18 DARRYL CHERNEY's request for a criminal investigation of the person
19 who created the fake press releases or of the death threats he had
20 received. The previous year, Lieutenant VULICH allegedly "left the
21 scene" of a demonstration at a logging site, where demonstrators
22 were receiving threats against their physical safety. Shortly
23 after his departure, company employees physically attacked the
24 demonstrators.

25 (2) Sergeant CIARABELLINI, deputy sheriff of the COUNTY OF
26

1 HUMBOLDT in the Eureka main office. Sergeant CIARABELLINI
2 informed CHERNEY that his superior already had copies of the fake
3 press releases and would not investigate, adding that "These press
4 releases will definitely result in somebody getting killed. You'll
5 be lucky to be beaten up."

6
7 D. Ukiah Police Department

8 (1) Chief FRED KEPLINGER of the UKIAH POLICE DEPARTMENT,
9 on June 1, 1990, disseminated a photo of JUDI BARI carrying a gun
10 in a manner that made it probable that it would be reproduced in
11 the news media in a manner that would deceptively portray Ms. BARI
12 as a violent person.

13 (2) DOE I, a police officer with the UKIAH POLICE
14 DEPARTMENT, on April 25, 1990, responded to a request for
15 investigation regarding the death threats addressed to BETTY BALL,
16 JUDI BARI, and the MENDOCINO ENVIRONMENTAL CENTER by stating that
17 the police would not conduct any investigation.

18 (3) DOE II, a police officer with the UKIAH POLICE
19 DEPARTMENT, on August 3, 1990, responded to a request for
20 investigation regarding a physical attack on plaintiffs BETTY BALL
21 and GARY BALL by stating that the police would not conduct any
22 investigation.

23 (4) DOE III, a police officer with the UKIAH POLICE
24 DEPARTMENT, during February 1991, responded to a request for
25 investigation regarding a physical attack on plaintiff GARY BALL by
26

1 stating that the police would not conduct any investigation.

2
3 E. The car bomber

4 The car bomber is denominated at this time as DOE V.

5
6 IV.

FACTS

7
8 A. The bombing of May 24, 1990, and its aftermath

9 43. On May 24, 1990, plaintiffs JUDI BARI and DARRYL
10 CHERNEY were on a musical concert and speaking tour to galvanize
11 support for the Redwood Summer campaign, designed to save the last
12 of California's old-growth redwood forests. They were urging
13 people to participate in non-violence trainings and come to the
14 first Redwood Summer political event within the next thirty days.

15 44. While driving on Park Boulevard at the intersection of
16 MacArthur in Oakland, California, a bomb detonated underneath the
17 driver's seat of Ms. BARI. Plaintiff JUDI BARI suffered multiple
18 fractures of the pelvis, a paralyzed right leg, permanently
19 dislocated coccyx and sacrum (pulverized by the blast), a two inch
20 diameter cavity on the upper backside, and severe nerve damage,
21 among other injuries; the plaintiff DARRYL CHERNEY suffered a
22 laceration of the eye, facial lacerations and other injuries.

23 45. The perpetrator of this bombing remains unknown.

24 46. On May 24, 1990, both the OAKLAND POLICE DEPARTMENT and
25 the Federal Bureau of Investigation began an investigation that was
26

1 conducted with a reckless disregard for the truth and with
2 deliberate indifference towards the rights of BARI and CHERNEY.
3 Defendant JOHN RIKES supervised the FBI investigation of the BARI
4 bombing, and reported to Defendant HELD. Defendant C. MICHAEL SIMS
5 supervised the OPD investigation, and reported to Defendant HAHN.

6 47. On May 24, 1990, Special Agent FRANK DOYLE, JR. told
7 Sergeant ROBERT CHENAULT of the OAKLAND POLICE DEPARTMENT that in
8 his expert opinion as a hazardous bomb technician with the
9 International/Domestic Terrorism Squad, the bomb device was on the
10 floor board behind the driver's seat when it detonated.

11 48. On May 24, 1990, plaintiffs BARI and CHERNEY allege that
12 on the order of DOE III of the OAKLAND POLICE DEPARTMENT, both of
13 these plaintiffs were arrested by MICHAEL SITTERUD and ROBERT
14 CHENAULT for possession of explosives and transportation of
15 explosives without probable cause.

16 49. Bail was set at \$100,000. JUDI BARI was involuntarily in
17 police custody at Highland Hospital until the initial court hearing
18 on May 29, 1990. On or about May 26, 1990, despite her near-fatal
19 condition, she was moved to the jail ward from intensive care by
20 the Oakland Police, with deliberate indifference to her health and
21 safety.

22 50. DARRYL CHERNEY was released from the Highland Hospital
23 immediately after bandaging his eye and facial lacerations, and was
24 incarcerated in the Oakland City Jail until he paid a nonrefundable
25 \$10,000 bond on May 28, 1990.

1 51. Plaintiffs further allege on May 25, 1990, Sgt. ROBERT
2 CHENAULT obtained search warrants to search the homes and
3 properties of JUDI BARI and DARRYL CHERNEY without probable cause.

4 52. On information and belief, plaintiff JUDI BARI alleges
5 that defendants HELD, RIKES, SIMS and DOES III-CCC unlawfully
6 sought and seized personal possessions in her car, including but
7 not limited to "Redwood Summer" organizing materials, her violin,
8 clothing, personal files, tools, her children's birth certificates
9 and vaccination records and the like, without a warrant or probable
10 cause. Defendants have not returned these items to her.

11 53. Plaintiffs BARI and CHERNEY further allege on
12 information and belief that in late May of 1990, on the order of
13 defendant HELD, RIKES, HAHN and/or SIMS, unknown agents of the
14 Federal Bureau of Investigation and the OAKLAND POLICE DEPARTMENT
15 spoliated evidence by dismantling portions of the white Subaru of
16 JUDI BARI, with deliberate indifference to the rights of these
17 plaintiffs.

18 54. This dismantlement resulted in disturbing the
19 correlation of the various damaged portions of the vehicle,
20 destroying key evidence that would aid investigators in gleaning
21 further evidence concerning the bombing.

22 55. Similarly, until plaintiffs obtained a court order on
23 June 11, 1990, Plaintiffs BARI and CHERNEY further allege that the
24 OAKLAND POLICE DEPARTMENT conducted the preservation of the white
25 Subaru in a manner that was deliberately indifferent to the
26

1 importance of preserving critical forensic evidence.

2 56. From May 1990 until July of 1990, plaintiffs BARI and
3 CHERNEY allege on information and belief that defendants HAHN,
4 SIMS, SITTERUD, Sergeant RAMON PANIAGUA, and other members of the
5 OAKLAND POLICE DEPARTMENT engaged in selective leaks that resulted
6 in deceptive publicity calculated to misportray plaintiffs BARI and
7 CHERNEY as violent people. These defendants misportrayed to the
8 public the location of the bomb in the vehicle and misportrayed the
9 significance of the finishing nails found in BARI's vehicle at the
10 time of the explosion.

11 57. Plaintiffs are informed and believe and hereby allege
12 that on or about June 12, 1990, the defendants and DOES I-CCC
13 maliciously released a photo to news reporters and/or other
14 individuals in a manner calculated to create deceptive publicity.
15 The photograph depicted plaintiff JUDI BARI holding a rifle, and
16 the public release of this photograph was calculated to misportray
17 plaintiff BARI as a violent person. A copy of this photo is
18 attached and is incorporated by reference as Appendix A herein.

19 58. Ukiah Police Chief FRED KEPLINGER had previously
20 disseminated to law enforcement agencies on June 1, 1990 this photo
21 in a manner that made it probable that it would be released to
22 individuals not directly connected with the investigation of the
23 car bombing. Plaintiffs allege on information and belief that
24 CHIEF KEPLINGER had no basis to place any trust in the reliability
25 of the informant that supplied him with the photo.

1 59. On June 25, 1990. a second search warrant was obtained
2 by Sgt. MICHAEL SITTERUD to search Ms. BARI's home and property.
3 This warrant was based primarily on the statement of Special Agent
4 DAVID R. WILLIAMS, who allegedly informed Sgt. SITTERUD on June 14,
5 1990 that he and other agents had studied the "tool marks of
6 manufacture" on the nails recovered from Ms. BARI's house and the
7 nails with duct tape residue recovered from the bomb scene car.
8 WILLIAMS told SITTERUD that he could now testify that the "bomb
9 fragmentation nails" and the nails at BARI's house were
10 manufactured by the same machine "within a batch of 200 to 1000
11 nails."

12 60. On or about July 6, 1990, following a press conference
13 in which supporters of BARI and CHERNEY alleged that injuries to
14 BARI proved that the bomb exploded underneath the driver's seat of
15 her car, OAKLAND POLICE DEPARTMENT officials admitted that the bomb
16 was under the front seat, but stated that BARI and CHERNEY remained
17 suspects as the nails in the pipe bomb allegedly matched the nails
18 in BARI's house.

19 61. On or about July 17, 1990, Alameda County District
20 Attorney Chris Carpenter announced that he would not file any
21 charges against BARI and CHERNEY.

22 62. On or about November 20, 1990, plaintiffs BARI and
23 CHERNEY filed tort claims fully regarding these incidents with the
24 CITY OF OAKLAND. These claims were denied by this defendant during
25 January of 1991.

1 63. The defendants RICHARD HELD, JAMES HAHN, and C. MICHAEL
2 SIMS maintain that the plaintiffs JUDI BARI and DARRYL CHERNEY
3 remain "suspects". FBI spokesman Duke Diedrich has stated that if
4 these plaintiffs were not "suspects", but "victims", the case could
5 be turned over to the Bureau of Alcohol, Tobacco and Firearms.
6

7 B. Failure of the defendants to respond to threats to
8 plaintiffs made prior and since the bombing

9 64. In February of 1990, the plaintiffs and other activists
10 announced their plans for a political campaign for a "Mississippi
11 Summer in the California Redwoods", commonly known as "Redwood
12 Summer". This political campaign was widely reported on television
13 and in the print media, as were the identities of these plaintiffs.

14 65. Following the announcement of this campaign, the
15 MENDOCINO COUNTY SHERIFF'S DEPARTMENT set up a command center to
16 respond specifically to issues arising from the Redwood Summer
17 campaign, and specifically asked plaintiff JUDI BARI to meet with
18 them.

19 66. On April 9, 1990, the news media reported that the
20 plaintiffs JUDI BARI, DARRYL CHERNEY, and other activists were
21 preparing to announce their opposition to the practice of "tree
22 spiking", a practice in which spikes are driven into several trees
23 and then announcing the spiking to the logging companies --in order
24 to discourage the cutting down of a grove of trees by said logging
25 companies.

26 67. Commencing on or about April 10, 1990, JUDI BARI

1 receives several written death threats that are delivered to the
2 plaintiff MENDOCINO ENVIRONMENTAL CENTER (MEC). The plaintiff MEC
3 and BETTY BALL receive death threats as well. Several of these
4 documents are attached as Appendix B and are incorporated by
5 reference.

6 68. During this same period of time, two fake documents are
7 circulated in large numbers among the timber mills of Northern
8 California. Throughout the remainder of the complaint, these
9 documents will be referred to as the "fake press releases". The
10 first "fake press release", allegedly created by the nonexistent
11 organization of "Earth First!, Arcata", states that the
12 organization disagrees with plaintiff DARRYL CHERNEY's decision to
13 oppose the practice of "tree spiking". Stating that "we are in a
14 'war'" with the north coast timber companies, the first fake press
15 release states that "we intend to spike trees, monkeywrench, and
16 even resort to violence if necessary". This document is attached
17 as Appendix C and is incorporated by reference.

18 69. The second fake press release, on "Earth First!"
19 letterhead, advocates the "sabotage" of timber industry activities.
20 It asks that donations be sent to plaintiff CHERNEY. This document
21 is attached as Appendix D and is incorporated by reference.

22 70. Plaintiffs allege that these documents were distributed
23 not only to the press, but were also left in stacks in breakrooms
24 in numerous lumber mills, in laundromats in logging towns, faxed
25 around the country, and mailed to workers by management.

1 71. On April 20, 1990, plaintiffs JUDI BARI, BETTY BALL,
2 and representatives of MENDOCINO ENVIRONMENTAL CENTER and "Redwood
3 Summer" ask the MENDOCINO COUNTY SHERIFF'S DEPARTMENT deputies
4 SATTERWHITE and MURRAY to investigate the death threats made
5 against JUDI BARI and BETTY BALL, and the threats mailed to the
6 offices of the MENDOCINO ENVIRONMENTAL CENTER (noted in Appendix
7 B).

8 72. Mendocino County deputies SATTERWHITE and MURRAY
9 refused to file a report or to conduct any investigation. DEPUTY
10 SATTERWHITE stated, "We don't have the manpower to investigate. If
11 you turn up dead, we'll investigate."

12 73. On a later date, Sheriff SHEA also refused to file a
13 report or conduct any investigation, despite the fact that
14 plaintiff BARI lived outside of Ukiah and SHEA was charged with
15 responsibility with monitoring "Redwood Summer". DOES IV-CCC were
16 also asked to investigate these incidents; these defendants also
17 refused to investigate.

18 74. On or about April 20, 1990, plaintiff DARRYL CHERNEY
19 telephoned the Garberville office of the HUMBOLDT COUNTY SHERIFF'S
20 DEPARTMENT in order to seek an investigation of the person who
21 created the fake press releases, as well as to report a death
22 threat that he had received. In speaking to LT. FRANK VULICH,
23 Defendant VULICH refused to conduct any investigation of any kind
24 concerning these matters, and refused to make any inquiries
25 concerning the person accused by CHERNEY as the one who CHERNEY
26

1 believed had written the letters. This refusal continued even
2 after CHERNEY stated certain previous acts by the suspect that led
3 him to this conclusion. Moreover, Lt. VULICH refused to fill out
4 a criminal report concerning these events. He would only take down
5 this information as an "informational item."

6 75. Dissatisfied, the plaintiff CHERNEY called back the
7 Eureka office. He repeated to Defendant SGT. CIARABELLINI the
8 course of events as recounted in the preceding paragraph, and
9 complained to him that Lt. FRANK VULICH refused to take action or
10 to characterize his complaint as a criminal complaint. SGT.
11 CIARABELLINI said to him, "These press releases will definitely
12 result in somebody getting killed. You'll be lucky to be beaten
13 up." SGT. CIARABELLINI informed the plaintiff that he already had
14 possession of these "press releases" and the death threat through
15 other sources, and that his superior Lt. Done also was in
16 possession of these same documents. He refused to conduct any
17 investigation of any kind.

18 76. Following the discussions with Sheriff SHEA,
19 SATTERWHITE and MURRAY described above, more death threats were
20 received by CHERNEY, BARI, and the MENDOCINO ENVIRONMENTAL CENTER.
21 In late April of 1990, plaintiff BETTY BALL contacted the UKIAH
22 POLICE DEPARTMENT and requested an investigation into the death
23 threats made against JUDI BARI, herself, and the threats delivered
24 to the MEC. Defendant DOE I responded to the call and personally
25 viewed the written death threats. Defendant DOE I reviewed the
26

1 material, and left refusing to take any action other than "note it
2 in the log."

3 77. On April 24, 1990, DARRYL CHERNEY is arrested near the
4 Golden Gate Bridge while making a telephone call, as other members
5 of Earth First! are arrested for an action of nonviolent civil
6 disobedience on the bridge itself. CHERNEY's car is impounded by
7 the Marin County sheriffs. When CHERNEY recovers his vehicle, he
8 discovers that his notebooks on the "Redwood Summer" campaign are
9 missing and have been seized by the Marin County sheriffs.

10 78. These notebooks are returned to CHERNEY by the Marin
11 County sheriffs during the autumn of 1990. Plaintiff CHERNEY
12 alleges that the defendants obtained and disseminated the
13 information from these notebooks after the bombing without probable
14 cause and in violation of his right to privacy.

15 79. On May 1, 1990, an acrimonious Mendocino County Board
16 of Supervisors meeting takes place, with the plaintiff JUDI BARI
17 explaining the scope and extent of "Redwood Summer." When the
18 plaintiff BARI complained about the death threats that had been
19 made against her, Supervisor Marilyn Butcher responded by stating,
20 "JUDI, you've brought this on yourself." During the meeting, some
21 loggers threatened violence against the "Redwood Summer" campaign,
22 while supervisors sat and watched quietly.

23 80. Since the bombing, this type of activity has continued.

24 81. On August 3, 1990, plaintiffs GARY BALL and BETTY BALL
25 were threatened by a man outside of the MENDOCINO ENVIRONMENTAL
26

1 CENTER, which is next door to a bar known as the "Sports Attic."
2 The man hurled beer in the face of GARY BALL. He was then joined
3 by several other men from the bar. Uttering epithets concerning
4 the environmental activism of GARY BALL, they commenced to rock the
5 BALLS' automobile back and forth while the BALLS were in the car.
6 GARY and BETTY BALL barely escaped having their car overturned.
7 When the plaintiffs reported this incident to DOE II of the UKIAH
8 POLICE DEPARTMENT, DOE II responded that he would not conduct any
9 investigation, but would merely "log" the incident.

10 82. During February 1991, a man named Joseph Nortman came
11 to the MENDOCINO ENVIRONMENTAL CENTER and uttered repeated threats
12 to burn down the Center and to attack GARY BALL. When GARY BALL
13 reported this incident to DOE III of the UKIAH POLICE DEPARTMENT,
14 DOE III responded and checked the man's identification. DOE III
15 then stated that he would not conduct any investigation or arrest
16 of this man, as he felt the man had a mental problem but was not
17 dangerous. Plaintiffs are informed and believe and hereby allege
18 that the Ukiah police identified this man as "Atis Crusa" and
19 further allege that DOES III-CCC were recklessly mistaken in their
20 identification of this man as Atis Crusa.

21
22 V. PATTERN AND PRACTICE OF PRIOR AND SIMILAR INCIDENTS COMMITTED
23 BY MENDOCINO AND HUMBOLDT DEFENDANTS

24 83. The conduct of defendants affiliated with MENDOCINO
25 COUNTY SHERIFF'S DEPARTMENT and HUMBOLDT COUNTY SHERIFF'S
26 DEPARTMENT constitutes a law enforcement pattern and practice

1 whereby Mendocino and Humboldt County residents seeking to express
2 their opposition to prevailing logging practices, including highly
3 destructive clear-cutting and shelterwood removal, are not afforded
4 due process under the law by the defendants.

5 84. These defendants have also exhibited a practice of
6 preferential treatment on behalf of certain logging and trucking
7 companies, whereby defendants either refuse to investigate and/or
8 refuse to make arrests for clear violations of state and local
9 laws. This practice has been manifested by the following
10 incidents:

11 85. In May of 1987, at the Yaeger Creek Log Deck, in the
12 town of Carlotta, a pickup truck struck a picketer. Despite a
13 timely report and identification provided to the HUMBOLDT COUNTY
14 SHERIFF'S DEPARTMENT, the Department refused to conduct an arrest.

15 86. In May of 1988, at the same location, an out-of-control
16 logging truck during the course of a demonstration forced plaintiff
17 DARRYL CHERNEY and a Humboldt County sheriff to dive out of the
18 path of the truck. Again, no arrest or citation of any kind was
19 issued by the HUMBOLDT COUNTY SHERIFF'S DEPARTMENT.

20 87. On June 16, 1989, a peaceful demonstration was in
21 progress next to the Calpella chip mill. An unknown civilian
22 approached the demonstrators brandishing a chain saw, revving its
23 engine and threatening the demonstrators. Greg King, a
24 demonstrator, verbally confronted this person and was punched to
25 the ground in front of CHP officers.

1 88. Despite the commission of a misdemeanor in the presence
2 of these CHP officers, and the return of the Mendocino sheriffs
3 shortly thereafter, the sheriffs refused to arrest the person with
4 the chainsaw and suggested that they would arrest the demonstrators
5 instead.

6 89. On or about August 9, 1989, a peaceful demonstration
7 was underway in an area of Mendocino County known as "Whitethorn",
8 with demonstrators occupying a section of roadway to block logging
9 trucks. As a truck drove toward them, they elected to move off the
10 highway. The driver accelerated toward the demonstrators, striking
11 a demonstrator named Bill Matthews and hurling him onto the
12 shoulder of the road.

13 90. CHP officers and deputies of the Sheriff's Department
14 of the COUNTY OF MENDOCINO were advised of the occurrence; they
15 contacted the driver, but refused to engage in further
16 investigation, arrest, or to refer the matter to the District
17 Attorney for possible further prosecution.

18 91. On August 16, 1989, a number of demonstrators were
19 engaged in another peaceful demonstration in the aforementioned
20 Whitethorn area, at a Lancaster Logging operation. Defendant
21 VULICH and Deputy Mert Baarts arrived together at the
22 demonstration, and spoke to the demonstrators and to the owners and
23 employees of Lancaster Logging. Defendant VULICH and/or Deputy
24 Baarts were informed by local demonstrator Bill Matthews that a
25 loaded shotgun lay on the seat of a nearby Lancaster Logging truck.
26

1 Deputy Baarts observed the loaded weapon in the vehicle but took no
2 action, although the presence of the weapon clearly violated the
3 law. This same weapon was fired later in the day by a juvenile
4 member of the Lancaster family or an employee of Lancaster Logging
5 in order to frighten and intimidate the demonstrators.

6 92. Defendant VULICH and Deputy Baarts knew that a
7 dangerous, tense and volatile atmosphere existed, and also knew
8 that other law enforcement personnel were on their way to relieve
9 them. Nonetheless, these deputies chose to leave before
10 replacements arrived.

11 93. Immediately after their departure, the owners of
12 Lancaster Logging and their employees began to harass the
13 demonstrators. Gladys Lancaster, angered at having a worker's
14 picture taken by a demonstrator, forcefully and unlawfully grabbed
15 the camera -- another worker then smashed it into pieces with an
16 axe.

17 94. Mem Hill, one of the demonstrators, observed this
18 skirmish from a distance and decided to verbally intervene and urge
19 nonviolence. As she walked in that direction, she paused in the
20 vicinity of the demonstrators and Lancaster Logging employees in
21 order to calm them. An employee of Lancaster Logging named David
22 Lancaster punched Ms. Hill two or more times directly in her face.
23 He broke her nose in two locations and knocked her unconscious,
24 which also caused extensive bleeding internally and about her face.

25 95. Deputies from the MENDOCINO COUNTY SHERIFF'S DEPARTMENT
26

1 arrived on the scene shortly thereafter, led by Sgt. Jack
2 Stapleton. Sgt. Stapleton and his deputies spoke at length with
3 members of Lancaster Logging but only briefly with a few
4 demonstrators. Stapleton refused to arrest David Lancaster for
5 battery, or Gladys Lancaster and Lancaster Logging employees who
6 forcefully took and destroyed the camera for malicious vandalism.

7 96. On this same date, Sgt. Stapleton and his deputies also
8 chose not to take any written statements or conduct a timely
9 investigation of the incident, instead turning it over to the
10 California Department of Parks and Recreation. As a result of the
11 non-performance of their investigative duties, a less well-trained
12 ranger with Parks and Recreation was left with the entire task of
13 collecting statements a week or more after the incident and
14 forwarding these to Susan Massini, the District Attorney for the
15 COUNTY OF MENDOCINO.

16 97. Shortly after the August 16, 1989 incident, Deputy
17 Sheriff Larry Gander subsequently issued a misleading press release
18 from the Sheriff's Department of the COUNTY OF MENDOCINO about said
19 incident. This misleading press release reflected the partial and
20 incomplete investigation conducted by the MENDOCINO COUNTY
21 SHERIFF'S DEPARTMENT, which was written in the passive voice so as
22 to imply that the assailant of the plaintiff was unknown and that
23 pushing and shoving was initiated by the demonstrators.

24 98. This interpretation of events was subsequently adopted
25 by Ms. Massini to justify non-prosecution of any of the employees
26

1 of Lancaster Logging for the events chronicled above or for the
2 additional allegations that these employees had threatened
3 demonstrators with weapons or with wooden clubs.

4 99. On August 19, 1989, plaintiff JUDI BARI's car was
5 rammed from the rear by a logging truck driven by Donnie Blake near
6 Philo in Mendocino County. Unknown to her at the time of the
7 collision, this same truck and driver had been blockaded by BARI
8 and others from leaving a timber harvest area only one day before
9 the ramming incident. Plaintiffs BARI, CHERNEY, a friend named Pam
10 Davis and her two children, and plaintiff BARI's two children were
11 injured as it was struck and slammed into a parked vehicle.
12 Civilian observers estimated the truck's speed at approximately 45
13 m.p.h. and well in excess of the posted speed zone.

14 100. Despite the clear speed violation and others, such as
15 a broken speedometer in the truck, investigating CHP officers
16 prepared a cursory and inaccurate report, focusing instead on
17 whether the totally destroyed BARI vehicle had proper functioning
18 brake lights.

19 101. Upon discovering that the Blake truck was the same one
20 blockaded two days before, BARI requested Ms. Massini to
21 investigate the incident further to determine if the collision was
22 accidental or intentional. Ms. Massini refused to do so.

23 102. On April 11, 1990, Greg King, now active with the
24 "Redwood Summer" campaign, was leaving station KMUD in Garberville
25 on foot after completing his radio show. As he proceeded down
26

1 Redwood Drive, he was accosted and unlawfully detained by Humboldt
2 Sheriff's deputy Scott Smith. Without cause, and in violation of
3 the law, Smith demanded proof of identity. King was detained for
4 about fifteen minutes while the deputy conducted a radio check for
5 possible arrest warrants.

6 103. When Greg King attempted to make a report about the
7 incident at the Garberville substation the next day, King was told
8 that he must drive to Eureka to do so. Duty deputy Gustin then
9 forcibly removed King when King would not respond to Gustin's
10 interrogation of him.

11
12 FIRST CAUSE OF ACTION

13 (42 U.S.C. Section 1983 -- Count One; all defendants)

14 104. Plaintiffs incorporate by reference the allegations
15 contained in paragraphs 1-103.

16 105. Plaintiffs BARI and CHERNEY allege that following
17 the illegal seizure of the organizing materials of JUDI BARI and
18 DARRYL CHERNEY for the Redwood Summer political campaign,
19 information obtained from these materials was then disseminated
20 among these defendants and other law enforcement agencies. The
21 photo of JUDI BARI holding a rifle was also intelligence
22 information that was disseminated to non-law enforcement agencies
23 and the public.

24 106. Plaintiffs BARI and CHERNEY allege that these
25 actions are part of a program of surveillance and intelligence
26

1 gathering that has been aimed at the plaintiffs and their political
2 groups. Other elements of this program include, but are not
3 limited to, the use of photographic and video surveillance at
4 demonstrations, and dissemination of collected information to other
5 government agencies that include allegations that BARI and CHERNEY
6 are violent people.

7 107. These plaintiffs allege that this surveillance and
8 intelligence gathering has had a continuing adverse effect on their
9 associational and free expression activities. The effect has also
10 been to "chill" their exercise of these rights.

11 108. This conduct has also injured these plaintiffs by
12 damaging and threatening to damage their reputations, and by
13 adversely affecting their employment and employment opportunities.

14 109. By the acts set forth above, and as detailed
15 throughout the complaint, each of the named defendants and DOES I-
16 CCC violated the First, Fourth, Fifth, Ninth and Fourteenth
17 Amendments to the United States Constitution and 42 U.S.C. 1983 in
18 that they conspired to deprive the plaintiffs of certain
19 constitutionally protected rights, as detailed in this cause of
20 action.

21
22 SECOND CAUSE OF ACTION

23 (42 U.S.C. 1983 -- Count Two -- all defendants)

24 110. Plaintiffs incorporate by reference the allegations
25 contained in paragraphs 1-109.

26 111. Plaintiffs BARI and CHERNEY allege that the course

1 of conduct and activities of the defendants in this action and
2 their agents, by disseminating intelligence data concerning these
3 plaintiffs and information gleaned from improperly seizing the
4 organizing materials of these plaintiffs to other law enforcement
5 agencies and to the general public, constitute repeated and
6 constant invasions of the plaintiffs' reasonable expectation of
7 privacy, guaranteed by the First, Fourth, Fifth and Ninth
8 Amendments to the Constitution, while acting under color of law,
9 and constitutes a violation of 42 U.S.C. Section 1983.

10 112. This conduct has injured these plaintiffs by
11 damaging and threatening to damage their reputations, adversely
12 affecting their employment and employment opportunities, and by
13 invading their privacy.

14
15 THIRD CAUSE OF ACTION

16 (California Constitution, Article I, Section I -- Count One
17 -- all defendants with the exception of RICHARD HELD, FRANK DOYLE,
18 JR., DAVID R. WILLIAMS, and JOHN RIKES)

19 113. Plaintiffs incorporate by reference the allegations
20 contained in paragraphs 1-112.

21 114. Plaintiffs BARI and CHERNEY allege that the course
22 of conduct and activities of the defendants in this action, as
23 stated in the previous cause of action, and their agents set forth
24 above has occurred as a result of their lawful political
25 activities. This aforementioned course of conduct by all the
26 defendants (with the exception of RICHARD HELD, FRANK DOYLE, JR.,
27 DAVID R. WILLIAMS, and JOHN RIKES), while allegedly acting under

1 color of law, constitutes a violation of the California
2 Constitution, Article I, Section I, of the plaintiffs' right to
3 privacy.

4 115. This conduct has injured these plaintiffs by
5 damaging and threatening to damage their reputations, adversely
6 affecting their employment and employment opportunities, and by
7 invading their privacy.

8
9 FOURTH CAUSE OF ACTION
10 (42 U.S.C. 1983 -- Count Three -- all defendants)

11 116. Plaintiffs incorporate by reference the allegations
12 contained in paragraphs 1-115.

13 117. Plaintiff BARI alleges that the release of her
14 photograph by the defendants in this action and their agents set
15 forth above to the news media was designed to create deceptive
16 publicity of Ms. BARI as a violent person. This course of conduct
17 has defamed plaintiff BARI by damaging and threatening to damage
18 her reputation, adversely affecting her employment and employment
19 opportunities, and invaded her privacy by violating her right to be
20 "left alone."

21 118. This defamation occurred in a context in which the
22 defendants were attempting to justify the false arrest of JUDI BARI
23 and were preparing to obtain a second search warrant of Ms. BARI's
24 premises without probable cause.

25 119. This aforementioned course of conduct by the
26 defendants, while acting under color of law, constitutes a

1 violation of 42 U.S.C. Section 1983.

3 FIFTH CAUSE OF ACTION

4 (California Constitution, Article I, Section I -- Count Two
5 -- all defendants with the exception of RICHARD HELD, FRANK DOYLE,
6 JR., DAVID R. WILLIAMS, and JOHN RIKES)

7 120. Plaintiffs incorporate by reference the allegations
8 contained in paragraphs 1-119.

9 121. Plaintiff BARI alleges that the release of her
10 photograph by the defendants in this action and their agents set
11 forth above to the news media was designed to create deceptive
12 publicity of Ms. BARI as a "violent terrorist." This course of
13 conduct has defamed plaintiff BARI by damaging and threatening to
14 damage her reputation, adversely affecting her employment and
15 employment opportunities, and invaded her privacy by violating her
16 right to be "left alone".

17 122. This defamation occurred in a context in which the
18 defendants were attempting to justify the false arrest of JUDI BARI
19 and were preparing to obtain a second search warrant of Ms. BARI's
20 premises without probable cause.

21 123. This aforementioned course of conduct by the
22 defendants, while allegedly acting under color of law, constitutes
23 a violation of 42 U.S.C. Section 1983.

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SIXTH CAUSE OF ACTION

(Civil Code 1798.45(c) -- Defendants UKIAH POLICE DEPARTMENT, OAKLAND POLICE DEPARTMENT, MENDOCINO COUNTY SHERIFF'S DEPARTMENT, HUMBOLDT COUNTY SHERIFF'S DEPARTMENT, and DOES IV-CCC)

124. Plaintiffs incorporate by reference the allegations contained in paragraphs 1-123.

125. On information and belief, plaintiff BARI alleges that the UKIAH POLICE DEPARTMENT, the OAKLAND POLICE DEPARTMENT, the MENDOCINO COUNTY SHERIFF'S DEPARTMENT, the HUMBOLDT COUNTY SHERIFF'S DEPARTMENT, and DOES I-CCC released the photograph of her with the rifle to others without her permission, and failed to comply with the provisions of the California Information Practices Act (Civil Code 1798 et seq.) and any rules promulgated thereunder.

126. Plaintiff seeks actual damages for this violation of her rights.

SEVENTH CAUSE OF ACTION

(42 U.S.C. Section 1983-- Count Four -- Defendants MICHAEL SITTERUD, ROBERT CHENAULT, and DOES IV-CCC)

127. Plaintiffs incorporate by reference the allegations contained in paragraphs 1-126.

128. There was no warrant for the arrests of plaintiffs BARI and CHERNEY on May 24, 1990. The arrests of these plaintiffs by Defendants MICHAEL SITTERUD, ROBERT CHENAULT and DOES IV-CCC, on the order of DOE IV, was without reasonable grounds for said defendants to believe that JUDI BARI or DARRYL CHERNEY had committed an offense, and these defendants acted with deliberate indifference in determining if there was probable cause to arrest

1 them.

2 129. Plaintiff JUDI BARI alleges that she was further
3 damaged due to their reckless decision to remove her from intensive
4 care and into the jail ward on May 26, 1990. Plaintiff BARI
5 further alleges that she was improperly denied physical contact
6 with her visitors from May 24, 1990 throughout early June, 1990.

7 130. As a result of their concerted unlawful and
8 malicious detention and confinement of the plaintiffs, while acting
9 under color of law, Defendants MICHAEL SITTERUD, ROBERT CHENAULT,
10 and DOES IV-CCC deprived JUDI BARI and DARRYL CHERNEY of their
11 liberty without due process of law and deprived them of equal
12 protection of the laws, in violation of the Fourth, Fifth and
13 Fourteenth Amendments of the Constitution of the United States and
14 42 U.S.C. Section 1983.

15
16 EIGHTH CAUSE OF ACTION

17 (Tort of false arrest -- Defendants MICHAEL SITTERUD, ROBERT
18 CHENAULT, and DOES IV-CCC)

19 131. Plaintiffs incorporate by reference the allegations
20 contained in paragraphs 1-130.

21 132. Based on the facts as detailed in the previous cause
22 of action, defendants MICHAEL SITTERUD, ROBERT CHENAULT, and DOES
23 IV-CCC are liable for the tort of false arrest.

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1 NINTH CAUSE OF ACTION
2 (42 U.S.C. 1983 -- Count Five -- Defendants RICHARD HELD, JOHN
3 RIKES, C. MICHAEL SIMS, and DOES IV-CCC)

4 133. Plaintiffs incorporate by reference the allegations
5 contained in paragraphs 1-132.

6 134. Based on information and belief, plaintiff JUDI BARI
7 alleges that on May 24, 1990, defendants HELD, RIKES, SIMS and DOES
8 IV-CCC unlawfully sought and seized many of the personal
9 possessions in her car, including but not limited to her organizing
10 materials, violin, clothing, personal files, tools, her children's
11 birth certificates and vaccination records, and the like, without
12 a warrant, without probable cause, and with deliberate indifference
13 as to the rights of the plaintiff. Plaintiff further alleges that
14 the federal defendants conspired with the state defendants in the
15 course of the making of this unlawful and malicious search.

16 135. As a result of their concerted unlawful and
17 malicious search of the property of the plaintiff, while acting
18 under color of law, Defendants RICHARD HELD, JOHN RIKES, MICHAEL
19 SIMS, and DOES IV-CCC deprived JUDI BARI of her liberty and
20 property without due process of law and deprived her of equal
21 protection of the laws, in violation of the Fourth, Fifth and
22 Fourteenth Amendments of the Constitution of the United States and
23 42 U.S.C. Section 1983.

24 136. Plaintiff JUDI BARI further alleges that her
25 personal possessions in her Subaru have been seized without
26 probable cause and with deliberate indifference as to her rights.

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TENTH CAUSE OF ACTION

(Tort of wrongful search and seizure -- Defendants
C. MICHAEL SIMS and DOES IV-CCC)

137. Plaintiffs incorporate by reference the allegations
contained in paragraphs 1-136.

138. Based on the facts as detailed in the previous cause
of action, defendants C. MICHAEL SIMS and DOES IV-CCC are liable
for the tort of wrongful search and seizure.

ELEVENTH CAUSE OF ACTION

(42 U.S.C. 1983 -- Count Six -- Defendants ROBERT CHENAULT and DOES
IV-CCC)

139. Plaintiffs incorporate by reference the allegations
contained in paragraphs 1-138.

140. Plaintiffs JUDI BARI and DARRYL CHERNEY allege that
on May 25, 1990, defendants ROBERT CHENAULT and DOES IV-CCC
unlawfully sought and obtained warrants to search their homes and
seize their contents, without probable cause and with deliberate
indifference as to the rights of the plaintiffs.

141. As a result of their concerted unlawful and
malicious search of the premises of the plaintiff, while acting
under color of law, Defendants ROBERT CHENAULT and DOES IV-CCC
deprived JUDI BARI and DARRYL CHERNEY of their liberty and property
without due process of law and deprived them of equal protection of
the laws, in violation of the Fourth, Fifth and Fourteenth
Amendments of the Constitution of the United States and 42 U.S.C.
Section 1983.

1 TWELFTH CAUSE OF ACTION
2 (Tort of wrongful search and seizure -- Defendants DOES IV-CCC)

3 142. Plaintiffs incorporate by reference the allegations
4 contained in paragraphs 1-141.

5 143. Based on the facts as detailed in the previous cause
6 of action, defendants ROBERT CHENAULT and DOES IV-CCC are liable
7 for the tort of wrongful search and seizure.

8
9 THIRTEENTH CAUSE OF ACTION
10 (42 U.S.C. 1983 -- Count Seven -- Defendants MICHAEL SITTERUD and
DOES IV-CCC)

11 144. Plaintiffs incorporate by reference the allegations
12 contained in paragraphs 1-143.

13 145. Plaintiff JUDI BARI alleges that on June 25, 1990,
14 defendants MICHAEL SITTERUD and DOES IV-CCC unlawfully sought and
15 obtained warrants to search her home and seize its contents,
16 without probable cause and with deliberate indifference as to the
17 rights of the plaintiff.

18 146. As a result of their concerted unlawful and
19 malicious search of the premises of the plaintiff, while acting
20 under color of law, Defendants MICHAEL SITTERUD and DOES IV-CCC
21 deprived JUDI BARI of her liberty and property without due process
22 of law and deprived her of equal protection of the laws, in
23 violation of the Fourth, Fifth and Fourteenth Amendments of the
24 Constitution of the United States and 42 U.S.C. Section 1983.

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FOURTEENTH CAUSE OF ACTION

(Tort of wrongful search and seizure -- Count Two -- Defendants DOE IV-CCC)

147. Plaintiffs incorporate by reference the allegations contained in paragraphs 1-146.

148. Based on the facts as detailed in the previous cause of action, defendants MICHAEL SITTERUD and DOES IV-CCC are liable for the tort of wrongful search and seizure.

FIFTEENTH CAUSE OF ACTION

(42 U.S.C. 1983 -- Count Eight -- Defendants RICHARD HELD, FRANK DOYLE, JR., JOHN RIKES, JAMES HAHN, C. MICHAEL SIMS, MICHAEL SITTERUD, ROBERT CHENAULT, RAMON PANIAGUA, and Defendants IV-CCC)

149. Plaintiffs incorporate by reference the allegations contained in paragraphs 1-148.

150. Plaintiffs JUDI BARI and DARRYL CHERNEY allege that on May 24, 1990 and the days immediately thereafter, defendants RICHARD HELD, FRANK DOYLE, JR., JOHN RIKES, JAMES HAHN, C. MICHAEL SIMS, MICHAEL SITTERUD, ROBERT CHENAULT, RAMON PANIAGUA, and Defendants IV-CCC made the misrepresentation that it was their reasonable belief that the bomb was located on the rear floorboard behind the driver's seat, rather than under the driver's seat. Plaintiffs BARI and CHERNEY further allege that this statement was made with deliberate indifference as to the rights of these plaintiffs, and that the federal defendants conspired with the state defendants in the course of the making of this misrepresentation.

151. As a result of this misrepresentation, made while

1 acting under color of law, Defendants RICHARD HELD, FRANK DOYLE,
2 JR., JOHN RIKES, JAMES HAHN, C. MICHAEL SIMS, MICHAEL SITTERUD,
3 ROBERT CHENAULT, RAMON PANIAGUA, and Defendants IV-CCC deprived
4 JUDI BARI and DARRYL CHERNEY of their liberty and property without
5 due process of law and deprived them of equal protection of the
6 laws, in violation of the Fifth and Fourteenth Amendments of the
7 Constitution of the United States and 42 U.S.C. Section 1983.

8
9 SIXTEENTH CAUSE OF ACTION

10 (Tort of negligent misrepresentation -- Count One -- Defendants
11 JAMES HAHN, C. MICHAEL SIMS, MICHAEL SITTERUD, ROBERT CHENAULT,
12 RAMON PANIAGUA, and DOES IV-CCC)

13 152. Plaintiffs incorporate by reference the allegations
14 contained in paragraphs 1-151.

15 153. Based on the facts as detailed in the previous cause
16 of action, defendants JAMES HAHN, C. MICHAEL SIMS, MICHAEL
17 SITTERUD, ROBERT CHENAULT, RAMON PANIAGUA, and DOES IV-CCC are
18 liable for the tort of negligent misrepresentation.

19 SEVENTEENTH CAUSE OF ACTION

20 (Tort of intentional misrepresentation -- Count One -- Defendants
21 JAMES HAHN, C. MICHAEL SIMS, MICHAEL SITTERUD, ROBERT CHENAULT,
22 RAMON PANIAGUA, and DOES IV-CCC)

23 154. Plaintiffs incorporate by reference the allegations
24 contained in paragraphs 1-153.

25 155. Alternatively, based on the facts as detailed in the
26 Fifteenth Cause of Action, defendants JAMES HAHN, C. MICHAEL SIMS,
27 MICHAEL SITTERUD, ROBERT CHENAULT, RAMON PANIAGUA, and DOES IV-CCC

1 are liable for the tort of intentional misrepresentation.

3 EIGHTEENTH CAUSE OF ACTION

4 (42 U.S.C. 1983 -- Count Nine -- Defendants RICHARD HELD, JOHN
RIKES, JAMES HAHN, C. MICHAEL SIMS, and Defendants IV-CCC)

5 156. Plaintiffs incorporate by reference the allegations
6 contained in paragraphs 1-156.

7 157. Plaintiffs JUDI BARI and DARRYL CHERNEY allege that
8 on May 24, 1990 and the days immediately thereafter, defendants
9 RICHARD HELD, JOHN RIKES, JAMES HAHN, C. MICHAEL SIMS, and
10 Defendants IV-CCC engaged in spoliation of evidence by dismantling
11 portions of the white Subaru of JUDI BARI. This dismantlement
12 resulted in disturbing the correlation of the various damaged
13 portions of the vehicle, destroying key evidence that would aid
14 investigators in gleaning further evidence concerning the bombing.
15 Plaintiffs BARI and CHERNEY further allege that this spoliation of
16 evidence was conducted with deliberate indifference as to the
17 rights of these plaintiffs, and that the federal defendants
18 conspired with the state defendants in the course of this
19 spoliation of evidence.

20 158. As a result of this spoliation of evidence, made
21 while acting under color of law, Defendants RICHARD HELD, JOHN
22 RIKES, JAMES HAHN, C. MICHAEL SIMS, and Defendants IV-CCC deprived
23 JUDI BARI and DARRYL CHERNEY of their liberty and property without
24 due process of law and deprived them of equal protection of the
25 laws, in violation of the Fifth and Fourteenth Amendments of the
26

1 Constitution of the United States and 42 U.S.C. Section 1983.

2
3 NINETEENTH CAUSE OF ACTION

4 (Tort of negligent spoliation of evidence -- Count One --
5 Defendants JAMES HAHN, C. MICHAEL SIMS, MICHAEL SITTERUD, ROBERT
6 CHENAULT, RAMON PANIAGUA, and DOES IV-CCC)

7 159. Plaintiffs incorporate by reference the allegations
8 contained in paragraphs 1-158.

9 160. Based on the facts as detailed in the previous cause
10 of action, defendants JAMES HAHN, C. MICHAEL SIMS, MICHAEL
11 SITTERUD, ROBERT CHENAULT, RAMON PANIAGUA, and DOES IV-CCC are
12 liable for the tort of negligent spoliation of evidence.

13 TWENTIETH CAUSE OF ACTION

14 (Tort of intentional spoliation of evidence -- Count One --
15 Defendants JAMES HAHN, C. MICHAEL SIMS, MICHAEL SITTERUD, ROBERT
16 CHENAULT, RAMON PANIAGUA, and DOES IV-CCC)

17 161. Plaintiffs incorporate by reference the allegations
18 contained in paragraphs 1-160.

19 162. Alternatively, based on the facts as detailed in the
20 Eighteenth Cause of Action, defendants JAMES HAHN, C. MICHAEL SIMS,
21 MICHAEL SITTERUD, ROBERT CHENAULT, RAMON PANIAGUA, and DOES IV-CCC
22 are liable for the tort of intentional spoliation of evidence.

23 TWENTY-FIRST CAUSE OF ACTION

24 (42 U.S.C. 1983 -- Count Ten -- Defendants JAMES HAHN, C. MICHAEL
25 SIMS, MICHAEL SITTERUD, ROBERT CHENAULT, RAMON PANIAGUA, and
26 Defendants DOES IV-CCC)

27 163. Plaintiffs incorporate by reference the allegations
28 contained in paragraphs 1-162.

1 164. Plaintiffs JUDI BARI and DARRYL CHERNEY allege that
2 until the plaintiffs obtained a court order on June 11, 1990,
3 Defendants JAMES HAHN, C. MICHAEL SIMS, MICHAEL SITTERUD, ROBERT
4 CHENAULT, RAMON PANIAGUA, and Defendants DOES IV-CCC) conducted
5 the storage of the white Subaru in a manner that was deliberately
6 indifferent to the importance of preserving critical forensic
7 evidence.

8 165. As a result of this spoliation of evidence, made
9 while acting under color of law, Defendants JAMES HAHN, C. MICHAEL
10 SIMS, MICHAEL SITTERUD, ROBERT CHENAULT, RAMON PANIAGUA, and
11 Defendants IV-CCC deprived JUDI BARI and DARRYL CHERNEY of their
12 liberty and property without due process of law and deprived them
13 of equal protection of the laws, in violation of the Fifth and
14 Fourteenth Amendments of the Constitution of the United States and
15 42 U.S.C. Section 1983.

16
17 TWENTY-SECOND CAUSE OF ACTION
18 (Tort of negligent spoliation of evidence -- Count Two --
19 Defendants JAMES HAHN, C. MICHAEL SIMS, MICHAEL SITTERUD, ROBERT
20 CHENAULT, RAMON PANIAGUA, and DOES IV-CCC)

21 166. Plaintiffs incorporate by reference the allegations
22 contained in paragraphs 1-165.

23 167. Based on the facts as detailed in the previous cause
24 of action, defendants JAMES HAHN, C. MICHAEL SIMS, MICHAEL
25 SITTERUD, ROBERT CHENAULT, RAMON PANIAGUA, and DOES IV-CCC are
26 liable for the tort of negligent spoliation of evidence.

27 ///

1 TWENTY-THIRD CAUSE OF ACTION
2 (Tort of intentional spoliation of evidence -- Count Two --
3 Defendants JAMES HAHN, C. MICHAEL SIMS, MICHAEL SITTERUD, ROBERT
4 CHENAULT, RAMON PANIAGUA, and DOES IV-CCC)

5 168. Plaintiffs incorporate by reference the allegations
6 contained in paragraphs 1-167.

7 169. Alternatively, based on the facts as detailed in the
8 Twenty-First Cause of Action, defendants JAMES HAHN, C. MICHAEL
9 SIMS, MICHAEL SITTERUD, ROBERT CHENAULT, RAMON PANIAGUA, and DOES
10 IV-CCC are liable for the tort of intentional spoliation of
11 evidence.

12 TWENTY-FOURTH CAUSE OF ACTION
13 (42 U.S.C. 1983 -- Count Eleven -- Defendants DAVID R. WILLIAMS,
14 MICHAEL SITTERUD, and DOES IV-CCC)

15 170. Plaintiffs incorporate by reference the allegations
16 contained in paragraphs 1-169.

17 171. Plaintiffs JUDI BARI and DARRYL CHERNEY allege that
18 on May 24, 1990 and the days immediately thereafter, defendants
19 DAVID R. WILLIAMS, MICHAEL SITTERUD, and DOES IV-CCC made the
20 misrepresentation that it was their reasonable belief that the
21 finishing nails in the bomb and finishing nails located in BARI's
22 home were manufactured by the same machine within a batch of 200-
23 1000 nails. Plaintiffs BARI and CHERNEY further allege that this
24 statement was made with deliberate indifference as to the rights of
25 these plaintiffs.

26 172. As a result of this misrepresentation, made while
27 acting under color of law, Defendants DAVID R. WILLIAMS, MICHAEL

1 SITTERUD, and DOES IV-CCC deprived JUDI BARI and DARRYL CHERNEY of
2 their liberty and property without due process of law and deprived
3 them of equal protection of the law, in violation of the Fifth and
4 Fourteenth Amendments of the Constitution of the United States and
5 42 U.S.C. Section 1983.

6
7 TWENTY-FIFTH CAUSE OF ACTION

8 (Tort of negligent misrepresentation -- Count Two -- Defendants
9 MICHAEL SITTERUD, and DOES IV-CCC)

10 173. Plaintiffs incorporate by reference the allegations
11 contained in paragraphs 1-172.

12 174. Based on the facts as detailed in the previous cause
13 of action, defendants MICHAEL SITTERUD and DOES IV-CCC are liable
14 for the tort of negligent misrepresentation.

15 TWENTY-SIXTH CAUSE OF ACTION

16 (Tort of intentional misrepresentation -- Count Two -- Defendants
17 MICHAEL SITTERUD and DOES IV-CCC)

18 175. Plaintiffs incorporate by reference the allegations
19 contained in paragraphs 1-174.

20 176. Alternatively, based on the facts as detailed in the
21 Twenty-Fourth Cause of Action, defendants MICHAEL SITTERUD and DOES
22 IV-CCC are liable for the tort of intentional misrepresentation.

23 TWENTY-SEVENTH CAUSE OF ACTION

24 (Professional police malpractice -- Defendants Capt. JAMES HAHN,
25 Lt. C. MICHAEL SIMS, Sgt. MICHAEL SITTERUD, Sgt. RAMON PANIAGUA,
26 Sgt. ROBERT CHENAULT and DOES IV-CCC)

27 177. Plaintiffs incorporate by reference the allegations

1 contained in paragraphs 1-177.

2 178. Defendants Capt. JAMES HAHN, Lt. C. MICHAEL SIMS,
3 Sgt. MICHAEL SITTERUD, Sgt. RAMON PANIAGUA, Sgt. ROBERT CHENAULT
4 have received considerable academy and continuing law enforcement
5 training and have many years of practical on-the-job experience.
6 Plaintiffs BARI and CHERNEY are informed and believe and thereupon
7 allege that each also has experience as a supervisor of other law
8 enforcement personnel.

9 179. As professionally trained law enforcement officials,
10 these defendants have an obligation and duty to the public and
11 plaintiffs to properly apply their expertise in ways that protect
12 the safety and property of the public, which prevents violence and
13 effectively ensures the apprehension and prosecution of criminal
14 law violators. Their conduct, as well as their failure to properly
15 train other law enforcement personnel, violated accepted law
16 enforcement standards, guidelines, and practices, and thereby
17 breached the duty owed to plaintiffs as a member of the public.

18 180. As a proximate result of the breach of this duty,
19 plaintiffs have been psychologically injured because they can no
20 longer be sure that these representatives of law enforcement will
21 uphold the law, protect them in the future from physical harm when
22 they are otherwise able to do so, or enforce the law in an even-
23 handed non-discriminatory fashion. Plaintiffs are further
24 inhibited in the free exercise of their constitutional rights
25 because of a fear that these defendants will apply the law so as to
26

1 harm them and violate their rights.

2
3 TWENTY-EIGHTH CAUSE OF ACTION

4 (42 U.S.C. 1983, Count Twelve -- Defendants CITY OF OAKLAND,
5 OAKLAND POLICE DEPARTMENT, JAMES HAHN, C. MICHAEL SIMS, MICHAEL
6 SITTERUD, ROBERT CHENAULT, RAMON PANIAGUA, and DOES IV-CCC)

7 181. Plaintiffs incorporate by reference the allegations
8 contained in paragraphs 1-180.

9 182. Plaintiffs BARI and CHERNEY allege that, acting
10 under law and pursuant to official policy or custom, Defendants
11 CITY OF OAKLAND, OAKLAND POLICE DEPARTMENT, JAMES HAHN, C. MICHAEL
12 SIMS, MICHAEL SITTERUD, ROBERT CHENAULT, RAMON PANIAGUA, and DOES
13 IV-CCC with deliberate indifference failed to instruct, supervise,
14 control or discipline on a continuing basis Defendant deputy
15 sheriffs in their duties to refrain from:

16 (1) unlawfully and maliciously refusing to conduct an
17 adequate investigation;

18 (2) proper preservation of forensic evidence;

19 (3) unlawfully and maliciously misportraying as a
20 "terrorist" or a "violent" person in the news media citizens who
21 are actively engaged in exercising First Amendment rights of free
22 speech, association, assembly, and petitioning the government for
23 redress of grievances;

24 (4) conspiring to violate the rights, privileges and
25 immunities guaranteed to Plaintiffs by the Constitution and laws of
26 the United States; and

27 (5) otherwise depriving Plaintiffs of their

1 constitutional and statutory rights, privileges, and immunities.

2 183. Defendants CITY OF OAKLAND, OAKLAND POLICE
3 DEPARTMENT, JAMES HAHN, C. MICHAEL SIMS, MICHAEL SITTERUD, ROBERT
4 CHENAULT, RAMON PANIAGUA, and DOES IV-CCC had knowledge or, had
5 they diligently exercised their duties to instruct, supervise,
6 control and discipline on a continuing basis, should have had
7 knowledge that the wrongs conspired to be done, as heretofore
8 alleged, were about to be committed. Defendants CITY OF OAKLAND,
9 OAKLAND POLICE DEPARTMENT, JAMES HAHN, C. MICHAEL SIMS, MICHAEL
10 SITTERUD, ROBERT CHENAULT, RAMON PANIAGUA, and DOES IV-CCC had
11 power to prevent or aid in preventing the commission of said
12 wrongs, could have done so by reasonable diligence, and knowingly,
13 recklessly or with gross negligence failed or refused to do so.

14 184. Defendants CITY OF OAKLAND, OAKLAND POLICE
15 DEPARTMENT, JAMES HAHN, C. MICHAEL SIMS, MICHAEL SITTERUD, ROBERT
16 CHENAULT, RAMON PANIAGUA, and DOES IV-CCC, directly or indirectly,
17 under color of law, approved or ratified the unlawful, deliberate,
18 malicious, reckless and wanton conduct of Defendant deputy sheriffs
19 heretofore described.

20 185. As a direct and proximate cause of the negligent and
21 intentional acts of these aforementioned defendants, as set forth
22 above, Plaintiffs suffered physical injury, loss of income, medical
23 expenses, and severe mental anguish in connection with the
24 deprivation of their constitutional and statutory rights guaranteed
25 by the Fifth and Fourteenth Amendments to the Constitution and
26

1 protected by 42 U.S.C. 1983.

2
3 TWENTY-NINTH CAUSE OF ACTION

4 (42 U.S.C. 1983, Count Thirteen -- Defendants COUNTY OF HUMBOLDT,
5 HUMBOLDT COUNTY SHERIFF'S DEPARTMENT, LT. FRANK VULICH, and SGT.
6 CIARABELLINI, and DOES IV-CCC)

7 186. Plaintiffs incorporate by reference the allegations
8 contained in paragraphs 1-185.

9 187. Plaintiff DARRYL CHERNEY alleges that, acting under
10 law and pursuant to official policy or custom, Defendants COUNTY OF
11 HUMBOLDT, HUMBOLDT COUNTY SHERIFF'S DEPARTMENT, LT. FRANK VULICH,
12 and SGT. CIARABELLINI and DOES IV-CCC knowingly, recklessly, or
13 with gross negligence failed to instruct, supervise, control or
14 discipline on a continuing basis Defendant deputy sheriffs in their
15 duties to refrain from:

16 (1) unlawfully and maliciously condoning and encouraging
17 the use of excessive force and unlawful threats against individuals
18 engaged in political campaigns against prevailing logging practices
19 in the County;

20 (2) unlawfully and maliciously refusing to conduct an
21 adequate investigation and refusing to make arrests for clear
22 violations of state and local laws when individuals as described in
23 aforementioned (1) were seeking the intervention of government
24 officials;

25 (3) unlawfully and maliciously harassing a citizen who is
26 acting in accordance with his or her First Amendment rights of free
27 speech, association, assembly, and petitioning the government for

1 redress of grievances;

2 (4) conspiring to violate the rights, privileges and
3 immunities guaranteed to Plaintiffs by the Constitution and laws of
4 the United States; and

5 (5) otherwise depriving Plaintiffs of their
6 constitutional and statutory rights, privileges, and immunities.

7 188. Defendants COUNTY OF HUMBOLDT, HUMBOLDT COUNTY
8 SHERIFF'S DEPARTMENT, LT. FRANK VULICH, SGT. CIARABELLINI and DOES
9 IV-CCC had knowledge or, had they diligently exercised their duties
10 to instruct, supervise, control and discipline on a continuing
11 basis, should have had knowledge that the wrongs conspired to be
12 done, as heretofore alleged, were about to be committed.
13 Defendants COUNTY OF HUMBOLDT, HUMBOLDT COUNTY SHERIFF'S
14 DEPARTMENT, LT. FRANK VULICH, SGT. CIARABELLINI, and DOES IV-CCC
15 had power to prevent or aid in preventing the commission of said
16 wrongs, could have done so by reasonable diligence, and knowingly,
17 recklessly or with gross negligence failed or refused to do so.

18 189. Defendants COUNTY OF HUMBOLDT, HUMBOLDT COUNTY
19 SHERIFF'S DEPARTMENT, LT. FRANK VULICH, SGT. CIARABELLINI and DOES
20 IV-CCC, directly or indirectly, under color of law, approved or
21 ratified the unlawful, deliberate, malicious, reckless and wanton
22 conduct of Defendant deputy sheriffs heretofore described.

23 190. As a direct and proximate cause of the negligent and
24 intentional acts of Defendants COUNTY OF HUMBOLDT, HUMBOLDT COUNTY
25 SHERIFF'S DEPARTMENT, LT. FRANK VULICH, SGT. CIARABELLINI and DOES
26

1 IV-CCC, as set forth above, Plaintiffs suffered physical injury,
2 loss of income, medical expenses, and severe mental anguish in
3 connection with the deprivation of their constitutional and
4 statutory rights guaranteed by the Fifth and Fourteenth Amendments
5 to the Constitution and protected by 42 U.S.C. 1983.

6
7 THIRTIETH CAUSE OF ACTION

8 (42 U.S.C. 1983, Count Fourteen -- Defendants COUNTY OF MENDOCINO,
9 MENDOCINO COUNTY SHERIFF'S DEPARTMENT, SHERIFF TIM SHEA, BURL
MURRAY, DEPUTY SATTERWHITE, and DOES IV-CCC)

10 191. Plaintiffs incorporate by reference the allegations
11 contained in paragraphs 1-190.

12 192. Plaintiffs JUDI BARI, BETTY BALL, and the MENDOCINO
13 ENVIRONMENTAL CENTER allege that, acting under law and pursuant to
14 official policy or custom, Defendants COUNTY OF MENDOCINO,
15 MENDOCINO COUNTY SHERIFF'S DEPARTMENT, SHERIFF TIM SHEA, BURL
16 MURRAY, DEPUTY SATTERWHITE and DOES IV-CCC knowingly, recklessly,
17 or with gross negligence failed to instruct, supervise, control or
18 discipline on a continuing basis Defendant deputy sheriffs in their
19 duties to refrain from:

20 (1) unlawfully and maliciously condoning and encouraging
21 the use of excessive force and unlawful threats against individuals
22 engaged in political campaigns against prevailing logging practices
23 in the County;

24 (2) unlawfully and maliciously refusing to conduct an
25 adequate investigation and refusing to make arrests for clear
26 violations of state and local laws when individuals as described in

1 aforementioned (1) were seeking the intervention of government
2 officials;

3 (3) unlawfully and maliciously harassing a citizen who is
4 acting in accordance with his or her First Amendment rights of free
5 speech, association, assembly, and petitioning the government for
6 redress of grievances;

7 (4) conspiring to violate the rights, privileges and
8 immunities guaranteed to Plaintiffs by the Constitution and laws of
9 the United States; and

10 (5) otherwise depriving Plaintiffs of their
11 constitutional and statutory rights, privileges, and immunities.

12 193. Defendants TIM SHEA, MENDOCINO COUNTY SHERIFF'S
13 DEPARTMENT, COUNTY OF MENDOCINO, BURL MURRAY, DEPUTY SATTERWHITE,
14 and DOES IV-CCC had knowledge or, had they diligently exercised
15 their duties to instruct, supervise, control and discipline on a
16 continuing basis, should have had knowledge that the wrongs
17 conspired to be done, as heretofore alleged, were about to be
18 committed. Defendants TIM SHEA, MENDOCINO COUNTY SHERIFF'S
19 DEPARTMENT, COUNTY OF MENDOCINO, BURL MURRAY, DEPUTY SATTERWHITE
20 and DOES IV-CCC had power to prevent or aid in preventing the
21 commission of said wrongs, could have done so by reasonable
22 diligence, and knowingly, recklessly or with gross negligence
23 failed or refused to do so.

24 194. Defendants TIM SHEA, MENDOCINO COUNTY SHERIFF'S
25 DEPARTMENT, COUNTY OF MENDOCINO, BURL MURRAY, DEPUTY SATTERWHITE
26

1 and DOES IV-CCC, directly or indirectly, under color of law,
2 approved or ratified the unlawful, deliberate, malicious, reckless
3 and wanton conduct of Defendant deputy sheriffs heretofore
4 described.

5 195. As a direct and proximate cause of the negligent and
6 intentional acts of Defendants TIM SHEA, MENDOCINO COUNTY SHERIFF'S
7 DEPARTMENT, COUNTY OF MENDOCINO, BURL MURRAY, DEPUTY SATTERWHITE
8 and DOES IV-CCC, as set forth above, Plaintiffs suffered physical
9 injury, loss of income, medical expenses, and severe mental anguish
10 in connection with the deprivation of their constitutional and
11 statutory rights guaranteed by the Fifth and Fourteenth Amendments
12 to the Constitution and protected by 42 U.S.C. 1983.

13
14 THIRTY-FIRST CAUSE OF ACTION
15 (42 U.S.C. 1983, Count Fifteen -- Defendants CITY OF UKIAH, UKIAH
POLICE DEPARTMENT, CHIEF FRED KEPLINGER, and DOES I-CCC)

16 196. Plaintiffs incorporate by reference the allegations
17 contained in paragraphs 1-195.

18 197. All the plaintiffs in this action allege that,
19 acting under law and pursuant to official policy or custom,
20 Defendants CITY OF UKIAH, UKIAH POLICE DEPARTMENT, CHIEF FRED
21 KEPLINGER, and DOES I-CCC knowingly, recklessly, or with gross
22 negligence failed to instruct, supervise, control or discipline on
23 a continuing basis Defendant DOE police officers in their duties to
24 refrain from:

25 (1) unlawfully and maliciously condoning and encouraging
26

1 the use of excessive force and unlawful threats against individuals
2 engaged in political campaigns against prevailing logging practices
3 in the County;

4 (2) unlawfully and maliciously refusing to conduct an
5 adequate investigation and refusing to make arrests for clear
6 violations of state and local laws when individuals as described in
7 aforementioned (1) were seeking the intervention of government
8 officials;

9 (3) unlawfully and maliciously harassing a citizen who is
10 acting in accordance with his or her First Amendment rights of free
11 speech, association, assembly, and petitioning the government for
12 redress of grievances;

13 (4) conspiring to violate the rights, privileges and
14 immunities guaranteed to Plaintiffs by the Constitution and laws of
15 the United States; and

16 (5) otherwise depriving Plaintiffs of their
17 constitutional and statutory rights, privileges, and immunities.

18 198. Defendants CITY OF UKIAH, UKIAH POLICE DEPARTMENT,
19 CHIEF FRED KEPLINGER, and DOES I-CCC had knowledge or, had they
20 diligently exercised their duties to instruct, supervise, control
21 and discipline on a continuing basis, should have had knowledge
22 that the wrongs conspired to be done, as heretofore alleged, were
23 about to be committed. These aforementioned defendants had power
24 to prevent or aid in preventing the commission of said wrongs,
25 could have done so by reasonable diligence, and knowingly,
26

recklessly or with gross negligence failed or refused to do so.

199. Defendants CITY OF UKIAH, UKIAH POLICE DEPARTMENT, CHIEF FRED KEPLINGER, and DOES I-CCC directly or indirectly, under color of law, approved or ratified the unlawful, deliberate, malicious, reckless and wanton conduct of Defendant deputy sheriffs heretofore described.

200. As a direct and proximate cause of the negligent and intentional acts of these aforementioned defendants as set forth above, Plaintiffs BARI and CHERNEY suffered physical injury, loss of income, medical expenses, and severe mental anguish in connection with the deprivation of their constitutional and statutory rights guaranteed by the Fifth and Fourteenth Amendments to the Constitution and protected by 42 U.S.C. 1983.

THIRTY-SECOND CAUSE OF ACTION

(42 U.S.C. 1983, Count Sixteen -- Defendants TIM SHEA, BURL MURRAY and DEPUTY SATTERWHITE)

201. Plaintiffs incorporate by reference the allegations contained in paragraphs 1-200.

202. Mendocino County defendants TIM SHEA, BURL MURRAY and DEPUTY SATTERWHITE had a "special relationship" with plaintiffs JUDI BARI, BETTY BALL, and the MENDOCINO ENVIRONMENTAL CENTER, by virtue of the command center set up for monitoring of the Redwood Summer campaign, the meetings held by the MENDOCINO COUNTY SHERIFF'S DEPARTMENT, and the intensive press coverage given daily to the Redwood Summer campaign. The MENDOCINO COUNTY SHERIFF'S

1 DEPARTMENT began holding a series of meetings about Redwood Summer
2 with contract loggers and others involved in the timber industry.
3 They specifically requested to meet with JUDI BARI regarding
4 Redwood Summer.

5 203. These aforementioned plaintiffs are informed and
6 believe and hereby allege that in these meetings representatives of
7 the MENDOCINO COUNTY SHERIFF'S DEPARTMENT was aware of a specific
8 risk of harm to the plaintiff; affirmatively placed the plaintiffs
9 in a position of danger; created and assumed a custodial
10 relationship to the plaintiffs; and affirmatively committed itself
11 to the protection of these plaintiffs.

12 204. By refusing to conduct an adequate investigation and
13 refusing to make arrests for clear violations of state and local
14 laws when individuals were seeking the intervention of government
15 officials to halt the use of excessive force and unlawful threats
16 against those engaged in political campaigns against prevailing
17 logging practices, defendants TIM SHEA, BURL MURRAY and DEPUTY
18 SATTERWHITE were acting under color of state law to deprive
19 plaintiffs of the right not to be deprived of life, liberty, or
20 property without due process of law as guaranteed by the Fifth and
21 Fourteenth Amendments of the United States Constitution, protected
22 by 42 U.S.C. 1983.

23 ///

24 ///

25 ///

1 THIRTY-THIRD CAUSE OF ACTION
2 (42 U.S.C. 1983, Count Seventeen -- Defendants TIM SHEA, BURL
3 MURRAY and DEPUTY SATTERWHITE)

4 205. Plaintiffs incorporate by reference the allegations
5 contained in paragraphs 1-204.

6 206. Based on the facts as stated in the preceding cause
7 of action, defendants TIM SHEA, BURL MURRAY and DEPUTY SATTERWHITE
8 were acting under color of state law to deprive plaintiffs JUDI
9 BARI, BETTY BALL, and the MENDOCINO ENVIRONMENTAL CENTER of equal
10 protection as guaranteed by the Fifth and Fourteenth Amendments of
11 the United States Constitution, protected by 42 U.S.C. 1983. As
12 individuals involved in a political campaign against prevailing
13 logging practices in Northern California, they are entitled to the
14 same protection under the law as non-campaigners.

15 THIRTY-FOURTH CAUSE OF ACTION
16 (42 U.S.C. 1983, Count Eighteen -- Defendants LT. FRANK VULICH and
17 SGT. CIARABELLINI)

18 207. Plaintiffs incorporate by reference the allegations
19 contained in paragraphs 1-206.

20 208. Humboldt County defendants Lt. FRANK VULICH and Sgt.
21 CIARABELLINI had a "special relationship" with plaintiff DARRYL
22 CHERNEY, by virtue of the documents and the knowledge in the
23 possession of their superior Lt. Done concerning the "faked press
24 releases" and the death threats that had been made on DARRYL
25 CHERNEY, coupled with the intensive press coverage given daily to
26 the Redwood Summer campaign.

27 209. These aforementioned plaintiffs are informed and
28

1 believe and hereby allege that in the course of obtaining these
2 documents and knowledge through the news media and other sources,
3 representatives of the HUMBOLDT COUNTY SHERIFF'S DEPARTMENT were
4 aware of a specific risk of harm to the plaintiff; affirmatively
5 placed the plaintiff in a position of danger; created and assumed
6 a custodial relationship to the plaintiff; and affirmatively
7 committed itself to the protection of this plaintiff.

8 210. By refusing to conduct an adequate investigation and
9 refusing to make arrests for clear violations of state and local
10 laws when plaintiff DARRYL CHERNEY was seeking the intervention of
11 government officials to halt the use of excessive force and
12 unlawful threats against those engaged in political campaigns
13 against prevailing logging practices, defendants Lt. FRANK VULICH
14 and Sgt. CIARABELLINI were acting under color of state law to
15 deprive plaintiffs of the right not to be deprived of life,
16 liberty, or property without due process of law as guaranteed by
17 the Fifth and Fourteenth Amendments of the United States
18 Constitution, protected by 42 U.S.C. 1983.

19
20 THIRTY-FIFTH CAUSE OF ACTION
21 (42 U.S.C. 1983, Count Nineteen -- Defendants LT. FRANK VULICH and
SERGEANT CIARABELLINI)

22 211. Plaintiffs incorporate by reference the allegations
23 contained in paragraphs 1-210.

24 212. Based on the facts as stated in the preceding cause
25 of action, defendants LT. FRANK VULICH and SGT. CIARABELLINI were
26

1 acting under color of state law to deprive the plaintiff DARRYL
2 CHERNEY of equal protection as guaranteed by the Fifth and
3 Fourteenth Amendments of the United States Constitution, protected
4 by 42 U.S.C. 1983. As an individual involved in a political
5 campaign against prevailing logging practices in Northern
6 California, plaintiff DARRYL CHERNEY is entitled to the same
7 protection under the law as non-campaigners.

8
9 THIRTY-SIXTH CAUSE OF ACTION
10 (42 U.S.C. 1983, Count Twenty -- Defendant DOE I, and DOES II-CCC)

11 213. Plaintiffs incorporate by reference the allegations
12 contained in paragraphs 1-212.

13 214. By refusing to conduct an adequate investigation on
14 April 25, 1990 for clear violations of state and local laws when
15 individuals were seeking the intervention of government officials
16 to halt the use of excessive force and unlawful threats against
17 those engaged in political campaigns against prevailing logging
18 practices, defendant DOE I, a Ukiah police officer, as well as his
19 fellow officers DOES II-CCC, were acting under color of state law
20 to deprive plaintiffs BETTY BALL, JUDI BARI, and the MENDOCINO
21 ENVIRONMENTAL CENTER of equal protection as guaranteed by the Fifth
22 and Fourteenth Amendments of the United States Constitution,
23 protected by 42 U.S.C. 1983.

24 215. As individuals involved in a political campaign
25 against prevailing logging practices in Northern California, these
26 plaintiffs are entitled to the same protection under the law as

1 non-campaigners.

2
3 THIRTY-SEVENTH CAUSE OF ACTION

4 (42 U.S.C. 1983, Count Twenty-One -- Defendant DOE II, and DOES I-
5 CCC)

6 216. Plaintiffs incorporate by reference the allegations
7 contained in paragraphs 1-215.

8 217. By refusing to conduct an adequate investigation on
9 August 3, 1990 for clear violations of state and local laws when
10 individuals were seeking the intervention of government officials
11 to halt the use of excessive force and unlawful threats against
12 those engaged in political campaigns against prevailing logging
13 practices, defendant DOE II, a Ukiah police officer, as well as his
14 fellow officers DOES I-CCC were acting under color of state law to
15 deprive plaintiffs GARY BALL and BETTY BALL of equal protection as
16 guaranteed by the Fifth and Fourteenth Amendments of the United
17 States Constitution, protected by 42 U.S.C. 1983.

18 218. As individuals involved in a political campaign
19 against prevailing logging practices in Northern California, these
20 plaintiffs are entitled to the same protection under the law as
21 non-campaigners.

22 THIRTY-EIGHTH CAUSE OF ACTION

23 (42 U.S.C. 1983, Count Twenty-Two -- Defendant DOE III, and DOES I-
24 CCC)

25 219. Plaintiffs incorporate by reference the allegations
26 contained in paragraphs 1-218.

27 220. By refusing to conduct an adequate investigation or

1 to conduct an arrest during February, 1991, for clear violations of
2 state and local laws when individuals were seeking the intervention
3 of government officials to halt the use of excessive force and
4 unlawful threats against those engaged in political campaigns
5 against prevailing logging practices, defendant DOE III, a Ukiah
6 police officer, as well as his fellow officers DOES I-CCC were
7 acting under color of state law to deprive plaintiff GARY BALL of
8 equal protection as guaranteed by the Fifth and Fourteenth
9 Amendments of the United States Constitution, protected by 42
10 U.S.C. 1983.

11 221. As an individual involved in a political campaign
12 against prevailing logging practices in Northern California, this
13 plaintiff is entitled to the same protection under the law as non-
14 campaigners.

15
16 THIRTY-NINTH CAUSE OF ACTION

17 42 U.S.C. 1983, Count Twenty-Three -- Defendants RICHARD HELD,
18 FRANK DOYLE, JR., DAVID R. WILLIAMS, JOHN RIKES, CITY OF OAKLAND,
OAKLAND POLICE DEPARTMENT, JAMES HAHN, C. MICHAEL SIMS, MICHAEL
SITTERUD, ROBERT CHENAULT, RAMON PANIAGUA and DOES IV-CCC)

19 222. Plaintiffs incorporate by reference the allegations
20 contained in paragraphs 1-221.

21 223. Plaintiffs are informed and believe and hereby
22 allege that these defendants had a "special relationship" with
23 plaintiffs JUDI BARI and DARRYL CHERNEY, by virtue of surveillance
24 and intelligence data that these defendants had obtained concerning
25 the political affiliations and activities of these plaintiffs,
26

1 coupled with intensive press coverage given daily to the Redwood
2 Summer campaign in Mendocino and Humboldt counties.

3 224. These aforementioned plaintiffs are informed and
4 believe and hereby allege that in the course of obtaining these
5 surveillance and intelligence data and knowledge through the news
6 media, the writings of these plaintiffs in the possession of the
7 OAKLAND POLICE DEPARTMENT, informants, wiretaps, and other sources,
8 Defendants RICHARD HELD, FRANK DOYLE, JR., DAVID R. WILLIAMS, JOHN
9 RIKES, CITY OF OAKLAND, OAKLAND POLICE DEPARTMENT, JAMES HAHN, C.
10 MICHAEL SIMS, MICHAEL SITTERUD, ROBERT CHENAULT, RAMON PANIAGUA and
11 DOES IV-CCC were aware of a specific risk of harm to the
12 plaintiffs; affirmatively placed the plaintiffs in a position of
13 danger; created and assumed a custodial relationship to the
14 plaintiffs; and affirmatively committed itself to the protection of
15 this plaintiffs.

16 225. By refusing to conduct an adequate investigation
17 when plaintiffs JUDI BARI and DARRYL CHERNEY were seeking the
18 intervention of law enforcement officials to determine who bombed
19 Ms. BARI's vehicles and nearly killed them, these aforementioned
20 defendants were acting under color of state law to deprive
21 plaintiffs of the right not to be deprived of life, liberty, or
22 property without due process of law as guaranteed by the Fifth and
23 Fourteenth Amendments of the United States Constitution, protected
24 by 42 U.S.C. 1983, and that the federal defendants conspired with
25 the state defendants in the course of this refusal to conduct an
26

1 adequate investigation.

2
3 FORTIETH CAUSE OF ACTION

4 (42 U.S.C. 1983, Count Twenty-Four -- Defendants RICHARD HELD,
5 FRANK DOYLE, JR., DAVID R. WILLIAMS, JOHN RIKES, CITY OF OAKLAND,
6 OAKLAND POLICE DEPARTMENT, JAMES HAHN, C. MICHAEL SIMS, MICHAEL
7 SITTERUD, ROBERT CHENAULT, RAMON PANIAGUA and DOES IV-CCC)

8 226. Plaintiffs incorporate by reference the allegations
9 contained in paragraphs 1-225.

10 227. Based on the facts as stated in the preceding cause
11 of action, defendants were acting under color of state law to
12 deprive the plaintiffs JUDI BARI and DARRYL CHERNEY of equal
13 protection as guaranteed by the Fifth and Fourteenth Amendments of
14 the United States Constitution, protected by 42 U.S.C. 1983, and
15 that the federal defendants conspired with the state defendants in
16 the course of this refusal to conduct an adequate investigation.
17 As individuals involved in a political campaign against prevailing
18 logging practices in Northern California, plaintiffs JUDI BARI and
19 DARRYL CHERNEY are entitled to the same protection under the law as
20 non-campaigners.

21 FORTY-FIRST CAUSE OF ACTION

22 (Bivens action -- Count One -- Defendants RICHARD W. HELD, FRANK
23 DOYLE, JR., DAVID R. WILLIAMS, JOHN RIKES, DOES IV-CCC)

24 228. Plaintiffs incorporate by reference the allegations
25 contained in paragraphs 1-227.

26 229. Plaintiffs BARI and CHERNEY allege that RICHARD W.
27 HELD, FRANK DOYLE, JR., DAVID R. WILLIAMS, DOES IV-CCC have

1 violated their constitutional rights pursuant to Bivens v. Six
2 Unknown Named Agents, 403 U.S. 388 (1971). Plaintiffs allege that
3 the destruction of evidence by these parties, as described in the
4 preceding paragraphs has deprived the plaintiffs of certain
5 constitutionally protected rights, including but not limited to the
6 following:

7 (1) The right not to be deprived of life, liberty, or
8 property without due process of law as guaranteed by the Fifth and
9 Fourteenth Amendments of the United States Constitution;

10 (2) The right to equal protection of the laws as
11 guaranteed by the Fifth and Fourteenth Amendments of the United
12 States Constitution;

13 (3) The right to confront one's accusers and to a fair
14 trial, as guaranteed by the Sixth and Fourteenth Amendments of the
15 United States Constitution;

16 (4) The right not to be deprived of their constitutional
17 and statutory rights, privileges, and immunities, pursuant to the
18 Fourteenth Amendment of the Constitution.

19
20 FORTY-SECOND CAUSE OF ACTION

21 (Bivens action -- Count Two -- Defendants RICHARD HELD, FRANK
22 DOYLE, JR., DAVID R. WILLIAMS, JOHN RIKES, DOES IV-CCC)

23 230. Plaintiffs incorporate by reference the allegations
24 contained in paragraphs 1-229.

25 231. Plaintiffs BARI and CHERNEY allege that RICHARD
26 HELD, FRANK DOYLE, JR., DAVID R. WILLIAMS, and DOES IV-CCC have

1 violated their constitutional rights pursuant to Bivens v. Six
2 Unknown Named Agents, 403 U.S. 388 (1971). Plaintiffs allege that
3 the misportrayal of the evidence by these parties, as described in
4 the preceding paragraphs has deprived the plaintiffs of certain
5 constitutionally protected rights, including but not limited to the
6 following:

7 (1) The right not to be deprived of life, liberty, or
8 property without due process of law as guaranteed by the Fifth and
9 Fourteenth Amendments of the United States Constitution;

10 (2) The right to equal protection of the laws as
11 guaranteed by the Fifth and Fourteenth Amendments of the United
12 States Constitution;

13 (3) The right to confront one's accusers and to a fair
14 trial, as guaranteed by the Sixth and Fourteenth Amendments of the
15 United States Constitution;

16 (4) The right not to be deprived of their constitutional
17 and statutory rights, privileges, and immunities, pursuant to the
18 Fourteenth Amendment of the Constitution.

19 Plaintiffs allege that this misportrayal of the evidence
20 was conducted with deliberate indifference to their rights.

21 ///

22 ///

23 ///

24 ///

25 ///

1 FORTY-THIRD CAUSE OF ACTION
2 (42 U.S.C. 1983, Count Twenty-Five -- Defendants RICHARD HELD,
3 FRANK DOYLE, JR., DAVID R. WILLIAMS, JOHN RIKES, CITY OF OAKLAND,
4 OAKLAND POLICE DEPARTMENT, JAMES HAHN, C. MICHAEL SIMS, MICHAEL
5 SITTERUD, ROBERT CHENAULT, RAMON PANIAGUA, TIM SHEA, BURL MURRAY,
6 DEPUTY SATTERWHITE, FRANK VULICH, SGT. CIARABELLINI, FRED
7 KEPLINGER, and DOES I-CCC)

8 232. Plaintiffs incorporate by reference the allegations
9 contained in paragraphs 1-231.

10 233. On the basis of information and belief, plaintiffs
11 JUDI BARI and DARRYL CHERNEY allege that the defendants RICHARD W.
12 HELD, FRANK DOYLE, JR., DAVID R. WILLIAMS, JOHN RIKES, Capt. JAMES
13 HAHN, Lt. C. MICHAEL SIMS, Sgt. MICHAEL SITTERUD, Sgt. RAMON
14 PANIAGUA, Sgt. ROBERT CHENAULT, TIM SHEA, BURL MURRAY, DEPUTY
15 SATTERWHITE, FRANK VULICH, Sgt. CIARABELLINI, FRED KEPLINGER, and
16 DOES I-CCC entered into a conspiracy designed to cast public
17 suspicion on the plaintiffs -- that the plaintiffs themselves were
18 responsible for the bombing of BARI's white Subaru on May 24, 1990.

19 234. The plaintiffs allege that the defendants'
20 conspiracy was motivated out of malice and with intent to oppress
21 environmental activists involved in the "Redwood Summer" campaign
22 in general, and the plaintiffs as political organizers within
23 "Redwood Summer" in particular, and to invidiously discriminate
24 against the same.

25 235. The plaintiffs allege during the spring of 1990,
26 they were among the key organizers of the Redwood Summer campaign.
27 Upon their announcement of the campaign in February of 1990, the
28 MENDOCINO COUNTY SHERIFF'S DEPARTMENT set up a command center set

1 up for monitoring this campaign. They also set up meetings held
2 between the contract loggers and the MENDOCINO COUNTY SHERIFF'S
3 DEPARTMENT, as well as between the environmentalists and the
4 sheriff's department, and specifically asked to meet with JUDI
5 BARI.

6 236. After the plaintiffs' opposition to "tree-spiking"
7 was in the daily papers, they were immediately barraged with death
8 threats and the two fake "press-releases." As they had just taken
9 a big step towards harmony and resolution, it was obvious that an
10 organized "hate campaign" was underway. The "press releases" were
11 being distributed throughout the Northern California timber
12 industry.

13 237. Humboldt sheriffs refused to aid plaintiff CHERNEY
14 when he asked them to question suspects about the fake "press
15 releases", although they admitted that these "press releases" were
16 putting peoples' lives in danger, and their superior Lt. Done
17 independently had obtained information concerning the "faked press
18 releases".

19 238. When JUDI BARI, BETTY BALL and others went to DEPUTY
20 SATTERWHITE and Deputy BURL MURRAY and presented the death threats,
21 they were told that "if you turn up dead, we'll investigate". The
22 plaintiffs repeatedly told these deputies the danger, to no avail.

23 239. Four days later, the organizing materials of JUDI
24 BARI's colleague DARRYL CHERNEY were seized, while it was in Marin
25 County. The organizing materials for Redwood Summer remained in
26

1 the possession of the Marin County Sheriffs until autumn of 1990,
2 when they are finally returned to DARRYL CHERNEY. In the interim,
3 plaintiffs allege that the defendants had access to these materials
4 and disseminated the information therein.

5 240. When the bombing occurred on May 24, the plaintiffs
6 were on a musical concert and speaking tour to galvanize support
7 for the Redwood Summer campaign. They were urging people to
8 participate in non-violence trainings and come to the first Redwood
9 Summer event within the next 30 days. The organizing materials of
10 JUDI BARI were seized, and have not been returned to this day.

11 241. The FBI and the OPD worked together throughout the
12 investigation. FBI agents made two serious misrepresentations to
13 the OPD.

14 242. The first misrepresentation, of May 24, was that the
15 bomb was on the rear floorboards of the back seat -- that was the
16 primary basis for the May 25 search warrant and the false arrest
17 made by OPD. The OPD admitted that this was in error on or about
18 July 5.

19 243. The second FBI misrepresentation, of June 14, was
20 that the nails in the bomb and the nails at JUDI BARI's home were
21 from the same "batch" as the nails taped to the bomb. The media
22 reported that FBI admitted this was in error on July 17.

23 244. Meanwhile, much evidence was destroyed while in the
24 custody of OPD and FBI. Plaintiffs allege that they asked the OPD
25 and FBI to follow up on "leads" on the bomber that they had in
26

1 Mendocino and Humboldt. There is no evidence that these agencies
2 followed up on their request.

3 245. Plaintiffs are informed and believe and hereby
4 allege that Ukiah police mailed the photo of JUDI BARI to all the
5 other defendant agencies -- they, in turn, leaked this photo to
6 their local press contacts in an effort to misportray JUDI BARI as
7 a violent person.

8 246. Plaintiffs allege that these defendants have engaged
9 in only a cursory investigation for the car bomber, of the death
10 threats and the phony "press releases" that endangered the lives of
11 the plaintiffs.

12 247. Plaintiffs further allege that the defendants
13 RICHARD HELD and the OAKLAND POLICE DEPARTMENT are presently
14 withholding from the plaintiffs' investigative team critical
15 evidence that may lead to the car bomber. The plaintiffs continue
16 to be "labeled" as "suspects" in order to justify the
17 aforementioned withholding of evidence.

18 248. By the acts set forth above, and as detailed
19 throughout the complaint, each of the named defendants and DOES I-
20 CCC violated the Fifth and Fourteenth Amendments to the United
21 States Constitution and 42 U.S.C. 1983 in that they conspired to
22 deprive the plaintiffs of certain constitutionally protected
23 rights, as detailed in the previous causes of action.

24 ///

25 ///

1 FORTY-FOURTH CAUSE OF ACTION
2 (Battery; DOES V-CCC)

3 249. Plaintiffs incorporate by reference the allegations
4 contained in paragraphs 1-248.

5 250. By DOE V's placing of a bomb under the driver's seat
6 of the Subaru of JUDI BARI, on or about May 24, 1990, the
7 plaintiffs JUDI BARI and DARRYL CHERNEY were severely injured, as
8 described earlier in this complaint. The identity of any agents or
9 co-conspirators of DOE V is unknown at this time, and these
10 plaintiffs request permission to amend this complaint if their
11 identities become known. Plaintiffs further allege that the
12 placing of this bomb was committed intentionally, and that it was
13 intended to kill these plaintiffs. Plaintiffs allege that this
14 act was committed with oppression, fraud and malice.

15
16 FORTY-FIFTH CAUSE OF ACTION
 (Destruction of property; DOES V-CCC)

17 251. Plaintiffs incorporate by reference the allegations
18 contained in paragraphs 1-250.

19 252. By DOE V's planting of a bomb under the driver's
20 seat of the Subaru of JUDI BARI, on or about May 24, 1990, the
21 personal property belonging to these plaintiffs was destroyed or
22 severely damaged.

23
24 FORTY-SIXTH CAUSE OF ACTION
25 (Intentional infliction of emotional distress; DOES V-CCC)

26 253. Plaintiffs incorporate by reference the allegations

1 contained in paragraphs 1-252.

2 254. By DOE V's planting of a bomb under the driver's
3 seat of the Subaru of JUDI BARI, on or about May 24, 1990, the
4 plaintiffs JUDI BARI and DARRYL CHERNEY were severely injured, as
5 described earlier in this complaint. Plaintiffs allege that the
6 placing of this bomb was committed with the intention of causing
7 these plaintiffs great emotional distress if they survived the
8 blast, and that this defendant acted with oppression, fraud or
9 malice.

10
11 WHEREFORE, Plaintiff JUDI BARI and DARRYL CHERNEY demand
12 judgment against Defendants RICHARD HELD, FRANK DOYLE, JR., DAVID
13 R. WILLIAMS, JOHN RIKES, CITY OF OAKLAND, OAKLAND POLICE
14 DEPARTMENT, JAMES HAHN, C. MICHAEL SIMS, MICHAEL SITTERUD, ROBERT
15 CHENAULT, RAMON PANIAGUA, TIM SHEA, MENDOCINO COUNTY SHERIFF'S
16 DEPARTMENT, COUNTY OF MENDOCINO, BURL MURRAY, DEPUTY SATTERWHITE,
17 COUNTY OF HUMBOLDT, HUMBOLDT COUNTY SHERIFF'S DEPARTMENT, LT. FRANK
18 VULICH, SGT. CIARABELLINI, CITY OF UKIAH, UKIAH POLICE DEPARTMENT,
19 CHIEF FRED KEPLINGER, and DOES I-CCC, for the following:

20 1. For a declaration that the plaintiffs JUDI BARI and
21 DARRYL CHERNEY are victims of the bombing, and not suspects;

22 2. And that pursuant to the preceding paragraph, the lead
23 agency in the investigation shall be the Bureau of Alcohol, Tobacco
24 and Firearms and not the Federal Bureau of Investigation;

25 3. Preliminary and permanent injunctive relief ordering the
26

1 defendants to turn over the contents of their files in the
2 investigation of the May 24, 1990 bomb explosion to the Bureau of
3 Alcohol, Tobacco, and Firearms;

4 4. Preliminary and permanent relief enjoining the
5 defendants to conduct a reasonable, thorough and prompt
6 investigation in response to the complaints of individuals claiming
7 that they are suffering threats to their personal safety in
8 retaliation for their involvement in a political campaign;

9 5. For a declaration that the acts, policies, and practices
10 of the defendants were unlawful, and in violation of the
11 plaintiffs' constitutional and statutory rights to have reasonable,
12 thorough, and prompt action taken by law enforcement authorities in
13 response to threats to their personal safety in retaliation for
14 their involvement in a political campaign;

15 6. A mandatory injunction ordering the defendants to
16 produce before this Court, for destruction, all files, blacklists,
17 publications, records, reports, photographs, recordings,
18 transcripts, data computer tapes and cards, all other materials
19 describing the lawful political activities of the plaintiffs and
20 other persons and organizations similarly situated, and maintained
21 by the defendants and their agents.

22 7. A mandatory injunction ordering the Defendants RICHARD
23 HELD, FRANK DOYLE, JR., DAVID R. WILLIAMS, JOHN RIKES, CITY OF
24 OAKLAND, OAKLAND POLICE DEPARTMENT, JAMES HAHN, C. MICHAEL SIMS,
25 MICHAEL SITTERUD, ROBERT CHENAULT, RAMON PANIAGUA, and DOES IV-CCC
26

1 to return the property in their possession belonging to JUDI BARI
2 and DARRYL CHERNEY;

3 8. Jointly and severally liable for compensatory damages in
4 the amount of \$750,000 to plaintiff JUDI BARI, and \$750,000 to
5 plaintiff DARRYL CHERNEY;

6 9. Jointly and severally liable for punitive damages in the
7 amount of \$900,000 to plaintiff JUDI BARI, and \$900,000 to
8 plaintiff DARRYL CHERNEY (except for Defendants CITY OF OAKLAND,
9 OAKLAND POLICE DEPARTMENT, COUNTY OF HUMBOLDT, HUMBOLDT COUNTY
10 SHERIFF'S DEPARTMENT, COUNTY OF MENDOCINO, MENDOCINO COUNTY
11 SHERIFF'S DEPARTMENT, CITY OF UKIAH, and UKIAH POLICE DEPARTMENT).

12 10. Plaintiff BETTY BALL and the MENDOCINO ENVIRONMENTAL
13 CENTER seek relief against TIM SHEA, MENDOCINO COUNTY SHERIFF'S
14 DEPARTMENT, COUNTY OF MENDOCINO, BURL MURRAY, DEPUTY SATTERWHITE,
15 CITY OF UKIAH, UKIAH POLICE DEPARTMENT, CHIEF FRED KEPLINGER, and
16 DOES I-CCC for compensatory damages, jointly and severally, in the
17 amount of \$100,000, and punitive damages against BURL MURRAY,
18 DEPUTY SATTERWHITE, CHIEF FRED KEPLINGER, and DOES I-CCC, jointly
19 and severally, in the amount of \$200,000.

20 11. Plaintiff GARY BALL seeks relief against CITY OF UKIAH,
21 UKIAH POLICE DEPARTMENT, CHIEF FRED KEPLINGER, and DOES I-CCC for
22 compensatory damages of \$50,000, and punitive damages against CHIEF
23 FRED KEPLINGER and DOES II-CCC, jointly and severally, of \$100,000.

24 12. Against DOE V, plaintiff JUDI BARI seeks \$5,000,000 in
25 compensatory damages, and \$5,000,000 in punitive damages.

13. Against DOE V, plaintiff DARRYL CHERNEY seeks \$2,000,000 in compensatory damages, and \$2,000,000 in punitive damages.

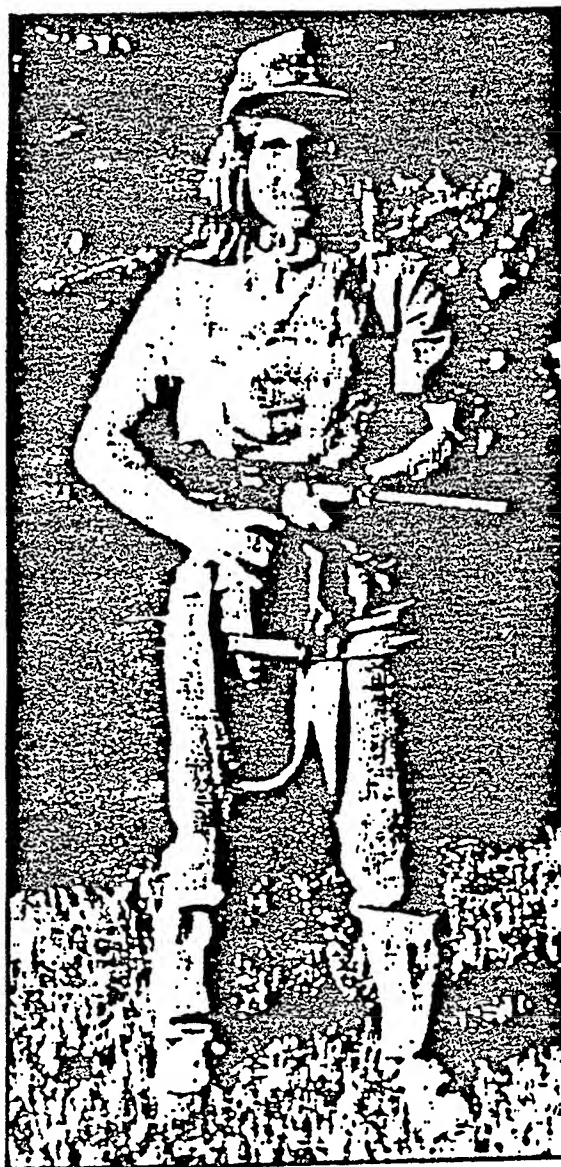
14. Attorneys' fees pursuant to 42 U.S.C. 1988,

15. Costs of this action;

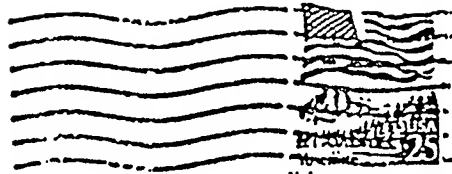
16. Such other relief as the Court deems just and equitable.

Dated: May 20, 1991

WILLIAM M. SIMPICH
Attorney for Plaintiffs



APPENDIX A



JUDI BARI
EARTH FIRST
106 W STANDLEY STREET
UKIAH, CALIF 95482

*Get
out
Flyer
Come back*

judi bari

get out and go bac k to where you come from
we know every thing
YCU WONT GET A SECCND WARNING



TO WHOM IT MAY CONCERN-EVERYBODY.

"Summer of disobedience in the woods" sure says it all!! We are all concerned with the Environment, but not to the extent of "EARTH FIRST." We know the Mendocino Environmental Center in Ukiah, does do alot of good things to do with the Enviroment, just like we do, taking care of the land, helping to see to these matters. I CANNOT believe you are helping and using EARTH FIRST, as they will use you. They are a Terrorist Group who uses terrorists acts and actions, that most of us DO NOT WANT to be involved with.

"These EARTH FIRST people are not modern day Robin Hoods whose cause is not the poor of the forest, but the trees themselves; these are violent men and women who engage in acts which could kill fathers in the name of Mother Earth." EARTH FIRST denies their activities have cause injury or death, I guess that doesn't include burning buildings, throwing bombs, spiking trees. As we all know there is a timberman, who will face years of reconstructive surgery-that isn't considered "injury"? EARTH FIRST does admitte to certain acts of sabotage and "MONKEYWRENCHING", as in "fence cutting?" "Running wires across roads??", and other acts of vandalism. I don't understand your group, how can you be involved with this group. No one can condone-and everyone should condemn-those who use violence to deny American men and women their livelihoods and even their lives. WONDER WHAT EARTH FIRST PEOPLE EAT??? It should be FOOD AND LIVE FIRST!!!!!!

I would really consider being involved with "EARTH FIRST", you may find yourselves in the same "bracket" as them and TROUBLE. Why don't you call them the name their group is--"ASSHOLES FIRST!!", because all they will be bringing to your group is their problems and the trouble they are in. There are other concerned people out here, too!! This is America and we shouldn't feel threatened and singled out. We are watching, too!!!!!!

For the obvious reasons, I will leave this unsigned. Pretty sad when you can't say what you want, in fear of your family and friends being harassed and even worse, being hurt by these "EARTH FIRST" people who do use terrorist acts of violence and don't think they don't hope and pray your group is not involved in their underhanded tactics.



MENDOCINO ENVIRONMENTAL
CENTER

106 W. STANDLEY
UKIAH, Ca

95482

April 25, 1990

To who it may concern:

We are a group of high school students and we are all average students. We love to spend time at the river laying out in the sun under the big redwood trees. We have all lived here a number of years and have never seen an owl in Mendocino County. What we have seen is the immaturity that you are showing by spiking trees, and not being willing to reason.

We dont know, if you people have even been to school, but in K-grade and up we were taught to keep our hands to ourselves and respect others property. Well by climbing on the top of Okerstroms equipment and hanging a banner from it was totally uncalled for. Why dont you practice what you preach!

For one, this paper which you are reading this letter from is made from wood (trees), the chair that you are sitting your smelly ass on is probably wood! The books of which your children learn from at school are made of paper which comes from harvesting trees.

I think that we should be allowed to use the land as much we can and put back into it as much as we take out of it! (by planting other trees).

What is it going to take to make you people realize that your demonstrations are dangerous? Is it going to take someone to get hurt or even killed? Loggers arent going to full around alot of them are carrying weapons, and we dont blame them either because they are only trying to make a living and support there family. We work not like you city people who all you have to do is go and pick up your welfare checks! (which are paper which are made from trees) This is our town, we know how to run it.

If you are really interested in saving the owls I pity you. Who was here to save the dinosaurs when they were dieing off? Nobody! If the dinosaurs where still alive, we wouldnt have oil, right?

Is your motto "EARTH FIRST, PEOPLE LAST"?

Why dont you grow up and be human not cry babies. I have seen 3 year olds accomplish more in little time than you have accomplished in a long while!

We dont think that the loggers should put up with your shit, they should just run you over if you get in their way

Well, I guess we have got our aggressions out and it feels
alot better. We must warn you though, next time you send
someone to spike a tree or next time you try to stop a
logging truck remember that accidents happen!

Have a nice summer!!!

Tasmanian Teens

Betty Ball
106 West Standley
Ukiah, CA 95470

Dear Betty,

It has come to our attention that you are an Earth First! lesbian whose favorite pastime is to eat box lunches in pajamas.

Betty, this kind of behavior is to be expected of lesbians like you, since we have been observing Earth First! freaks like you for some time. Not only have we been watching you Betty, but we also know and have distributed your phone number [(707)468-1660] to every organized hate group that could possibly have hostile tendencies toward ilk of your kind. No longer can sleazy dikes like you operate with impunity through the guise of anonymity. We know who you are, where you live, and continue to home in on you... but you don't know who we are. How does it feel, eco-freak, to have the tables turned?

We've also got your "clandestine" publications which detail how to indiscriminately hurt, maim, and kill people who are involved in legitimate, legal activities. Rest assured, Betty, that we shall not be indiscriminate in our actions against the spineless, invertebrate members of Earth First!. To the contrary, we will specifically hunt down each and every member like the lesbians you really are.

Sincerely,

Committee For The Death of Earth First!
Brought to you by Fed Up Americans for Common Sense



EARTH FIRST!

4/13/90

NEWS RELEASE

We, followers of the movement Earth First! of Northern California, do not agree with non-feral Darryl Cherney's recent statement advocating no tree spiking. We are in a "war" with the north coast timber companies. Companies do not have rights, only "Mother Earth" has rights. We must save all trees.

"Mississippi Summer" - Come one, come all to Humboldt County.

We intend to spike trees, monkeywrench, and even resort to violence if necessary. We will not stand for the destruction of "Mother Earth".

People of the Northcoast must stop raping the forests "Now". We have no time left.

Next Agenda - "Hollands"

EARTH FIRST!

ARCATA

*THIS IS BEING CIRCULATED IN THE EUREKA AREA.
+ THIS COPY OBTAINED AT HUMSBOLDT STATE*

FIGHT BACK: SOME THOUGHTS ON STRATEGY

*philosophy
first appeal - 1*

We're at war. It's not a typical war, where all sides are fighting for power. No, we are fighting against power, against domestication. We don't want to rule anything, we just want to live wild and free. Unfortunately, there's a whole damn civilization trying to keep us from doing so. And we haven't been fighting this civilization very well.

Some of us beg it for table scraps, with our petitions, giving them our names and addresses. Some of us go out in big herds, marching in line, chanting slogans, written by Darrell Chernay and Judi Bari of Garberville, Earth First! Some of us carry signs, demanding that our enemies do what we want. Some of us publicly and peacefully disobey the law in order to get arrested for the publicity. Some of us do acts of monkeywrenching in attempts to break the system.

We have been very visible in foolish ways, excessively organized and very serious—and we've been botching it. If we were interested in gaining power, rather than destroying it, then visibility, organization and seriousness would be just what we need. But since we are out to destroy power, then invisibility, apparent randomness, and playfulness are much better weapons.

We know who the powers are that are trying to destroy all wildness, (Pacific Lumber Co. and Louisiana Pacific to name a couple), we know what they're doing and where they're doing it. In sabotaging their activities, we can't give them this same advantage. We need to be invisible. We are interested in FUCKING up and domesticating the activities of our targets.

If the target can be hit in such a way as to make an explanation unnecessary, that's ideal. It's best not to do frequent repetitions of the same graffiti in association with more intense forms of sabotage. And don't forget that an imaginative graffiti campaign may itself be effective in at least getting people to think.

Another worthwhile skill to develop is the ability to act in an apparently random way. Demonstrations, civil disobedience, even most battles with the cops are well ordered. In some sense, they are orchestrated by the very forces we are fighting, because in these acts, we are fighting on the enemies' terrain, we are rarely reacting to them. Our acts of sabotage need not be this way. We can strike targets when they least expect it, when they think they are off the hook. There is no need to be systematic, at least not from the perspective of our enemies, with their rigid militaristic mindsets.

We live best when we live in this world as wild and merry pranksters, playfully mocking civilization and those who unquestioningly accept it. To dance, play, laugh, to avoid work as much as possible and to steal from the rich and powerful, to undermine authority and domestication every chance we get, this is the life we choose. Unseen by our enemies, we do whatever we can to FUCK UP the workings of the megamachine with an apparent randomness that confounds their orderly plans.

Please send donations to EARTH FIRST! c/o Darrell Chernay, P.O. Box 34, Garberville, California 95437

LAW OFFICES
WILLIAM M. SIMPICH
1736 FRANKLIN STREET • NINTH FLOOR • OAKLAND, CALIFORNIA 94612

TELEPHONE
(415) 444-0226

July 19, 1991

[REDACTED]
Federal Bureau of Investigation
450 Golden Gate Avenue, 10th Floor
San Francisco, CA 94102

Dear [REDACTED]

The mailing of this summons and complaint to you is being conducted pursuant to the Federal Rules of Civil Procedure, for the purpose of serving you in your official capacity as an agent of the Federal Bureau of Investigation, a United States agency.

b6
b7C

Sincerely, \

[REDACTED]

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 11/5/91 BY SP-5 CIP/DTX

Discussed w/ PLA
he'll handle

[REDACTED]

SEARCHED GEN	FOIMS
SERIALIZED SEARCHED	INDEXED
FILED	
JUL 23 1991	
FBI - SAN FRANCISCO	

[REDACTED]

(040)

United States District Court
NORTHERN

JUL 24 1991

CALIFORNIA

MEDICAL RECORDS

DISTRICT OF

TO:

SUBPOENA TO TESTIFY
BEFORE GRAND JURY

b3

SUBPOENA FOR:

☐ PERSON☒ DOCUMENT(S) OR OBJECT(S)

YOU ARE HEREBY COMMANDED to appear and testify before the Grand Jury of the United States District Court at the place, date, and time specified below.

PLACE

United States District Court
Federal Building, 17th Floor
450 Golden Gate Avenue
San Francisco, CA 94102

COURTROOM

Grand Jury Room 17201

DATE AND TIME

August 2, 1991
9:30 a.m.

YOU ARE ALSO COMMANDED to bring with you the following document(s) or object(s):*

b3



See Appendix B attached hereto and incorporated herein.

VOLUNTARY COMPLIANCE WITH THIS SUBPOENA WILL BE DEEMED SATISFACTORY WHEN YOU PROVIDE THE REQUESTED MATERIALS TO THE AGENT SERVING THIS SUBPOENA AND NO APPEARANCE WILL BE NECESSARY.

☐ Please see additional information on reverse

This subpoena shall remain in effect until you are granted leave to depart by the court or by an officer acting on behalf of the court.

CLERK

RICHARD W. WIEKING

DATE

(BY) DEPUTY CLERK

July 19, 1991

This subpoena is issued on application
of the United States of America

WILLIAM T. MCGIVERN, JR.
United States Attorney

NAME, ADDRESS AND PHONE NUMBER OF ASSISTANT U.S. ATTORNEY

450 Golden Gate Avenue, Box 36055 -
San Francisco, CA 94102
Telephone:

b6
b7c

United States District Court

NORTHERN DISTRICT OF CALIFORNIA

TO:

SUBPOENA TO TESTIFY BEFORE GRAND JURY

b3

SUBPOENA FOR:

☐ PERSON☒ DOCUMENT(S) OR OBJECT(S)

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San Francisco, CA 94102

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RICHARD W. WIEKING

(BY) DEPUTY CLERK

Tess Jew

DATE

July 19, 1991

This subpoena is issued on application
of the United States of America

WILLIAM T. MCGIVERN, JR.
United States Attorney

NAME, ADDRESS AND PHONE NUMBER OF ASSISTANT U.S. ATTORNEY

450 Golden Gate Avenue, Box 36055
San Francisco, CA 94102
Telephone:

b6
b7C

APPENDIX B

Pursuant to an investigation by the Federal Grand Jury of the Northern District of California into a suspected felony, it is requested that your company furnish all records requested.

In addition, we request that you not disclose the existence of this request. Any such disclosure could impede the investigation being conducted and thereby interfere with the enforcement of the law. Thank you very much for your assistance in this matter.

DATED: July 19, 1991

WILLIAM T. MCGIVERN, JR.



b6
b7C

ttorney

FED:jd

Memorandum



To : SAC, SAN FRANCISCO (174A-SF-90788) (P) Date 8/7/91

From : SA [redacted] (SQD 13)

Subject: UNSUBS;
JUDITH BEATRICE BARI - VICTIM
DARRYL REED CHERNEY - VICTIM
BOMBING OF 1981 SUBARU STATION WAGON
CALIFORNIA LICENSE 2NWX290
5/24/90
EID
OO: SAN FRANCISCO

On 7/16/91, [redacted] advised that on either 7/18 or 7/19/90, he was contacted by Kaiser Permanente Hospital, San Rafael, indicating that a patient was asking to see a [redacted] Minister. When he responded that night to the hospital he met [redacted] (LNU) who was in the hospital due to a drug overdose. In the room with [redacted] (LNU) was his [redacted] and a [redacted] who was approximately [redacted] years of age.

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On the following day, either 7/19 or 7/20/91, [redacted] visited [redacted] (LNU) who had been transferred to Marin General Hospital, Greenbrae. [redacted] (LNU) was in room 5214 with his [redacted] and [redacted]. That day during casual conversation, [redacted] (LNU) was discussing the newspapers. When [redacted] indicated that he did not understand what [redacted] (LNU) was talking about, [redacted] (LNU) explained while laughing, that the people that were involved in the bombing that everyone is reading about, claim they are innocent, but they are lying, because [redacted] (LNU) stated he built the bomb and sold it to them.

[redacted] recalls that [redacted] (LNU) stated that he had spent time in San Quentin and was not able to sign a piece of paper they wanted him to sign, because he was illiterate.

[redacted] was under the impression that [redacted] (LNU) was not from Marin County, but had come here for drug treatment.

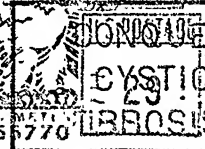
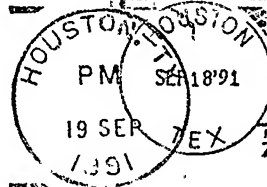
JEC/dlr
(2) dlr

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FBI - SAN FRANCISCO	

174A-SF-90788-137

FEDERATED DEVELOPMENT COMPANY
5847 SAN FELIPE, SUITE 2600 • HOUSTON, TEXAS 77057



Mr. William S. Sessions
Director
FEDERAL BUREAU OF INVESTIGATION
U.S. Department of Justice
Washington, D.C. 20535

5 DIRECTOR

5 SEP 23 1991



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-138

FEDERATED DEVELOPMENT COMPANY

5847 SAN FELIPE, SUITE 2600 • HOUSTON, TEXAS 77057
713 • 952-2400
FAX 713 • 952-4795

CALIFORNIA OFFICE

69-844 HIGHWAY 111, SUITE D
RANCHO MIRAGE, CALIFORNIA 92270
619 • 321-6502
FAX 619 • 321-7518

September 17, 1991

Dep. Dir. _____
ADD Adm. _____
ADD Inv. _____
Asst. Dir.:
Adm. Servs. _____
Crim. Inv. ☒
Ident. _____
Info. Mgnt. _____
Insp. _____
Intell. _____
Lab. _____
Legal Coun. _____
Tech. Servs. _____
Training _____
Cong. Affs. Off. _____
Off. of EEO _____
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Int. Affs. _____
Off. of Public Affs. _____
Telephone Rm. _____
Director's Sec'y _____

Special Agent
FEDERAL BUREAU OF INVESTIGATION
2500 East T.C. Jester, Room 200
Houston, TX 77008

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HEREIN IS UNCLASSIFIED
DATE 11/5/91 BY SP-5 C. J. [signature]

RE: [redacted]

Dear [redacted]

Rm 5030
I have enclosed for further handling another threat letter directed to [redacted] Federated Development Company and MAXXAM Inc. The letter was delivered to the [redacted] residence on September 16, 1991 and was opened by [redacted]. The content page was handled by both [redacted]. In accordance with your instructions, all subsequent handling of the contents were made with gloves.

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As you will see, this letter was mailed in Houston. The reference to the Gala Ball and MD Andersen apparently result from the fact that [redacted] along with Governor and Mrs. John Connally are serving as Co-Chairs for a M.D. Andersen fund raising event to be held on October 19, 1991 at the Astrodome Sheraton Hotel. I do not believe we have had any previous contacts from any individuals or groups identified as the Green Revolution.

We look forward to any further information that you might have on this matter.

Very truly yours,

FEDERATED DEVELOPMENT COMPANY

/jm

c: Agent Richard Held
San Francisco, CA

Director William S. Sessions
Washington, D.C.

it really is ironic isnt it

that the man who destroys the virgin native forests

for pure greedy profit

and with them innumerable plants like the Pacific Yew

which we know offer a cure for breast cancer

is a gala ball chair for

of ALL things

the MD ANDERSON celebration

What a strange feeling it must give you

He is so cold blooded that he has no feelings

but you

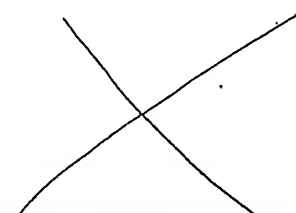
what about you?

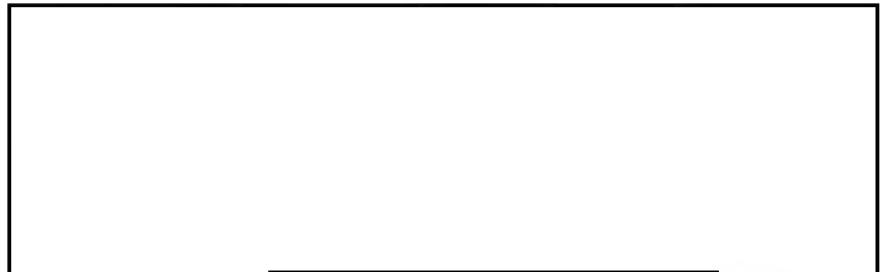
ALL INFORMATION CONTAINED
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DATE 11/5/91 BY SP-5CJ/BMF

The Green Revolution will never forget

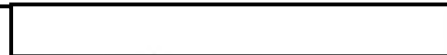
The time will come

)

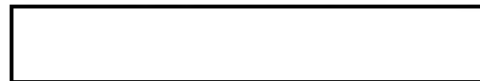




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101
** CE #400
***** AUTOMATED MAIL (NUM) *****



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CA 47 91-1057 EFL

Routing Slip

0-7 (Rev. 10-2-84)

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TO: LEGAT,

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☐ ASAC, Brooklyn-Queens (MRA)

RE:

10/2/91

Date

Retention For appropriate

- ☒ For information ☐ optional ☒ action ☐ Surep, by _____
- ☒ The enclosed is for your information. If used in a future report, ☐ conceal all sources, ☐ paraphrase contents.
- ☐ Enclosed are corrected pages from report of SA _____

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b7C

dated _____

Remarks:

ALL INFORMATION CONTAINED
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 DATE 11/5/91 BY SP-SCI/DAE
 CA # 91-1057 EFL

Enc.

Bufile

Urfile

174A-SF-90788

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SERIALIZED SEARCHED	INDEXED
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OCT -7 1991	

174A-SF-90788-139